APPENDIX A.
CONSTRUCTION GENERAL PERMIT

Tennessee General Permit No. TNR10-0000
Storm Water Discharges from Construction Activities

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Storm Water Discharges from Construction Activities

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Part I. Conditions of coverage under this permit

I.A. Permit area

This general permit covers all areas of the State of Tennessee.

I.B. Discharges covered by this permit

1. Storm water discharges associated with construction activity

This permit authorizes discharges of storm water from construction activities defined as follows:

> construction activity including clearing, grading and excavation activities except: operations that result in the disturbance of less than five acres of total land area and which are not part of a larger common plan of development or sale.

This permit may authorize discharges from sites that result in the disturbance of less than five acres of total land area if: **i.** the Director has determined that the discharge from a site is contributing to, or is likely to contribute to, a violation of a State water quality standard; or is a significant contributor of pollutants to waters of the State, or is likely to be a significant contributor of pollutants to waters of the State; or **ii.** changes in State or Federal rules require sites of five acres or less to obtain a storm water permit. Otherwise, projects or developments of less than five acres of land disturbance are not required to obtain authorization under this permit.

Note: Any discharge of storm water or other fluid to an improved sinkhole or other injection well, as defined, must be authorized by permit or rule as a Class V underground injection under the provisions of Tennessee Rule Chapter 1200-4-6.

2. Storm water discharges from construction support activities

This permit also authorizes storm water discharges from support activities (e.g., equipment staging yards, material storage areas, excavated material disposal areas, borrow areas) provided:

a. The support activity is primarily related to a construction site that is covered under this general permit and the owner/operator of the support activity is the same as the owner/operator of the construction site;
b. The support activity is not a commercial operation serving multiple unrelated construction projects by different operators, and does not operate beyond the completion of the construction activity at the last construction project it supports; and
c. Appropriate controls and measures are identified in a storm water pollution prevention plan covering the discharges from the support activity areas.

Process wastewater discharges from these activities are not authorized by this permit. Process wastewaters must be authorized by an individual permit or appropriate, other general permit.

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3. Certain non-storm water discharges are covered by this permit.

   The following non-storm water discharges from active construction sites are authorized by this permit provided the non-storm water component of the discharge is in compliance with section IV.D.5 (non-storm water discharges): dewatering of work areas of collected storm water and ground water; waters used to wash vehicles (of dust and soil, not process materials such as concrete) where detergents are not used and detention and/or filtering is provided before the water leaves site; water used to control dust in accordance with item IV.D.2.c.ii.; potable water sources including waterline flushings; routine external building washdown which does not use detergents; uncontaminated ground water or spring water; foundation or footing drains where flows are not contaminated with process materials such as solvents.

I.C. Discharges not authorized by this permit

The following storm water discharges are <u>not</u> authorized by this permit:

1. Post-Construction Discharges - Storm water discharges that originate from the construction site after construction activities have been completed and the site has undergone final stabilization.
2. Discharges Mixed with Non-storm Water - Discharges that are mixed with sources of non-storm water, other than discharges which are identified in section III.A.2. of this permit and which are in compliance with section IV.D.5 (non-storm water discharges) of this permit. Any discharge authorized by a different NPDES permit may be commingled with discharges authorized by this permit.
3. Discharges Covered by Another Permit - Storm water discharges associated with construction activity that have been issued an individual permit in accordance with paragraph VII.L.
4. Discharges Threatening Water Quality - Storm water discharges from construction sites that the Director determines will cause, or have the reasonable potential to cause, violations of water quality standards. (Where such determinations have been made, the discharger will be notified by the Director in writing that an individual permit application is necessary. The individual permit application will be on forms as determined by the Director.)
5. Discharges Causing or Contributing to the Impairment of a Section 303(d)-Listed Water – The State shall not grant coverage under this permit for discharges that are causing or contributing to the impairment of a Section 303(d) listed water or any water identified as impaired since promulgation of the latest 303(d) list.
6. Discharges Not Protective of Federally or State listed Threatened and Endangered Species - Storm water discharges and storm water discharge-related activities that are not protective of legally protected listed or proposed threatened or endangered aquatic fauna in the receiving stream(s); or discharges or activities that would result in a “take” of a Federally listed endangered or threatened fish or wildlife species; if the State finds that storm water discharges or storm water related activities are likely to result in any of the above effects, the State will deny the coverage under this general permit unless and until project plans are changed to protect the listed species.
7. Discharges from a New or Proposed Mining Operation – Discharges from a new or proposed mining operation are not covered by this permit.
8. Discharges Negatively Affecting a Property on the National Historic Register – Storm water discharges that would negatively affect a property that is listed or is eligible for listing in the National Historic Register maintained by the Secretary of Interior.

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I.D. Submitting an NOI is required to obtain coverage under the permit.

1. Preparation of pollution prevention plan prior to submitting NOI

   In order for storm water discharges from construction activities to be authorized to discharge under this general permit, a discharger must:

   a. First develop a pollution prevention plan (covering either the entire site or all portions of the site for which they are operators; see definition in Part IX.) according to the requirements in Part IV (preparation and implementation of the Plan may be a cooperative effort where there is more than one operator at a site); and

   b. Submit a Notice of Intent (NOI) in accordance with the requirements of Part II, using an NOI form provided by the Director (or a photocopy thereof). The Pollution Prevention Plan must be prepared prior to submittal of NOI and implemented upon commencement of construction activities.

2. New NOI for new operator

   For construction sites where an operator changes, or where a new operator is added after the submittal of the NOI under Part II, a new NOI for the new operator must be submitted in accordance with Part II.

3. Effective date of coverage under the permit

   Discharges from a construction activity are covered by this permit and the operator is authorized to discharge storm water associated with construction activity as of the effective date and time the Division of Water Pollution Control prepares a Notice of Coverage for the construction site. The Director may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information. If the Division has not been able to transmit an NOC to a permittee within 30 days of receipt of NOI, discharges are authorized under this permit if the NOI has been assigned a valid NPDES permit number and the permittee has been informed of this permit number.

I.E. Request for termination of coverage under the permit

1. NOT form

   Operators wishing to terminate coverage under this permit must submit a Notice of Termination (NOT) in accordance with Part VIII. of this permit. The NOT form is attached to this permit as Appendix B.

2. NOT form to be submitted after final stabilization of site

   All permittees must submit the NOT after completion of their construction activities and final stabilization of their portion of the site, or after within 30 days after another operator has taken over all of their responsibilities at the site. Appropriate enforcement actions may be taken for permit violations where a permittee submits a NOT but the permittee has not transferred operational control to another permittee or the site has not undergone final stabilization.

On this page...Part II.

II. Notice of Intent (NOI) requirements

II.A. NOI processing

An NOI shall be submitted by the construction site operator (or operators) to the appropriate Environmental Assistance Center(s) (EAC). The Division of Water Pollution Control's central office can serve as an EAC for NOIs submitted for projects of the Tennessee Department of Transportation and the Tennessee Valley Authority. The EAC will review the NOI for completeness and accuracy and as necessary will investigate the project for possible impact to threatened and endangered species of aquatic fauna. Upon completing the review, the EAC will transmit a Notice of Coverage (NOC) to the operator identified as owner/developer on the NOI form.

II.B. Who must submit an NOI?

1. Operators must submit the NOI.

"Operator" for the purpose of this permit and in the context of storm water associated with construction activity, means any party associated with a construction project that meets either of the following two criteria:

a. The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or

(This will typically be the owner or developer - one who has control over project specifications.)

b. The party has day-to-day operational control of those activities at a project which are necessary to ensure compliance with a storm water pollution prevention plan for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the SWPPP or comply with other permit conditions).

(This will typically include the general contractor and would also include erosion control contractors.)

2. All operators shall sign the same NOI form.

All operators shall apply for permit coverage on the same NOI form, insofar as possible. The Division's NOI form is designed for more than one operator. The Division can accept separate NOIs from different operators.

However, if one is filing an NOI as an operator at a site for which other operator(s) have already applied and received a construction storm water permit number, then the NOI should include the permit number assigned to the first NOI for the particular site. The description of the site should match the description on the first NOI.

3. When operators change, new operators shall submit a new NOI.

In a case where one or more of the operators changes during the course of a construction project, new operators shall submit new NOIs for their roles at the site. See below for deadlines.

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II.C. Deadlines for notification

1. 30 days prior to construction

Except as provided below, operators must submit an initial Notice of Intent (NOI) in accordance with the requirements of this Part at least 30 days prior to the commencement of construction activities (i.e., the initial disturbance of soils associated with clearing, grading, excavation activities, or other construction activities).

2. When there is a change of operator

For storm water discharges from construction sites where the operator changes, or projects where an operator is added after an initial NOI has been submitted as above, an NOI in accordance with the requirements of this Part should be submitted as soon as practicable and at least 48 hours prior to when the new operator assumes operational control over site specifications or commences work at the site.

3. Late NOIs

Dischargers are not prohibited from submitting late NOIs. When a late NOI is submitted, authorization is only for future discharges, and prior, unpermitted discharges are subject to the liabilities of subpart VII.Q.

II.D. Contents of Notice of Intent (NOI)

1. NOI Form/Appendix A

Notices of Intent for construction projects shall be on the form provided in Appendix A of this permit, or on photocopy thereof. This form and its instructions set forth the required content of the NOI.

The NOI form must be designed to contain the names and addresses of operators of the construction activity; location and name of the construction site; map showing location of the site; size of the construction activity; estimated starting and ending dates of the construction; name of stream into which storm water enters from the site; and whether or not a storm water pollution prevention plan has been prepared for the project.

2. Completeness of the NOI

The Division may reject an NOI that is not complete with all the requested information.

3. Proper signature(s) on the NOI

The operator(s) of the construction site shall sign the NOIs. Persons who sign shall meet the criteria in subpart VII.G. of this permit.

II.E. Where to submit and what to do with NOIs

1. The applicant shall submit the NOI to the appropriate Environmental Assistance Center (EAC).

One shall submit NOIs to the Division of Water Pollution Control in the EAC responsible for the county(ies) where the construction activity is located and where storm water discharges enter

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waters of the State. If a site straddles a county line of counties that are in areas of different EACs, the operators shall send NOIs to each EAC. EAC counties and addresses are given below. All EACs may be reached by telephone at the toll-free number 1-888-891-8332(TDEC). Below are the EACs organized from West to East Tennessee.

Fayette, Shelby and Tipton Counties:

TN DEPT OF ENV AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
2510 MT MORIAH ROAD SUITE E-645
MEMPHIS TN 38115-1520

Benton, Carroll, Chester, Crockett, Decatur, Dyer, Gibson, Hardeman, Hardin, Haywood, Henderson, Henry, Lake, Lauderdale, McNairy, Madison, Obion, Weakly counties:

TN DEPT OF ENV AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
362 CARRIAGE HOUSE DRIVE
JACKSON TN 38305-2222

Cheatham, Davidson, Dickson, Houston, Humphreys, Montgomery, Robertson, Rutherford, Stewart, Sumner, Williamson, Wilson:

TN DEPT OF ENV AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
537 BRICK CHURCH PARK DRIVE
NASHVILLE TN 37243-1550

Bedford, Coffee, Franklin, Giles, Hickman, Lawrence, Lewis, Lincoln, Marshall, Maury, Moore, Perry, Wayne

TN DEPT OF ENV AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
2484 PARK PLUS DRIVE
COLUMBIA TN 38401

Cannon, Clay, Cumberland, DeKalb, Fentress, Jackson, Macon, Pickett, Putnam, Overton, Smith, Trousdale, Van Buren, Warren, White

TN DEPT OF ENV AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
1221 SOUTH WILLOW AVE
COOKEVILLE TN 38506

Bledsoe, Bradley, Grundy, Hamilton, McMinn, Marion, Meigs, Polk, Rhea, Sequatchie

TN DEPT OF ENV AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
STATE OFFICE BUILDING SUITE 550
540 MCCALLIE AVE
CHATTANOOGA TN 37402-2013

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Anderson, Blount, Campbell, Claiborne, Cocke, Grainger, Hamblen, Jefferson, Knox, Loudon, Monroe, Morgan, Roane, Scott, Sevier, Union

TN DEPT OF ENV AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
2700 MIDDLEBROOK PIKE SUITE 220
KNOXVILLE TN 37921

Carter, Greene, Hancock, Hawkins, Johnson, Sullivan, Unicoi, Washington Counties

TN DEPT OF ENV AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
2305 SILVERDALE ROAD
JOHNSON CITY TN 37601

Water Pollution Control Central Office (may be used by TVA and TDOT)

STORM WATER NOI PROCESSING
TENNESSEE DIVISION OF WATER POLLUTION CONTROL, PERMIT SECTION
6TH FLOOR, L & C ANNEX
401 CHURCH STREET
NASHVILLE, TN 37243-1534

2. Certain applicants shall also submit a copy of the NOI to the local municipality

Applicants that discharge storm water through an NPDES-permitted municipal separate storm sewer system (MS4) shall submit a signed copy of the NOI (and at project completion, the NOT) to the owner/operator of the MS4. This is in addition to the original that is submitted to the EAC. As of the effective date of this general permit, the following municipalities are NPDES permitted:

City of Memphis
125 North Main Street, Room 620
Memphis, TN 38103-2091

Nashville/Davidson County
Metro Department of Public Works/NPDES Program
Point Place Business Park, Suite 350
441 Donelson Pike
Nashville, TN 37214-3558

City of Knoxville/Engineering
City County Building, Suite 480
P.O. Box 1631
Knoxville, TN 37901-1631

Chattanooga Department of Public Works – Storm Water
1001 Lindsey Street
Chattanooga, TN 37402

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3. Permittee shall post copy of NOC at site.

The Notice of Coverage (NOC) is a written notice from the Division of Water Pollution Control sent to the permittee, informing permittee that the NOI was received and has been approved by the Division. Permittees shall post, near the main entrance of the construction site, a copy of the Director's notice of coverage (NOC), and post the telephone number and address of a person whom the public can contact for information. See section IV.B.2. also.

Part III. Special conditions, management practices, and other non-numeric limitations

III.A. Prohibition on non-storm water discharges

1. Storm water discharges only

Except for discharges from support activities, as described in section I.B.2. and certain non-storm water discharges listed in section I.B.3., all discharges covered by this permit shall be composed entirely of storm water.

2. Other NPDES-permitted discharges

Discharges of storm water or wastewater that are in compliance with an NPDES permit (other than this permit) issued for that discharge may be mixed with discharges authorized by this permit.

3. Non-storm water discharges

The following non-storm water discharges from active construction sites are authorized by this permit provided the non-storm water component of the discharge is in compliance with section IV.D.5 (non-storm water discharges): dewatering of work areas of collected storm water and ground water (see also paragraph IV.D.2.a. iii.(c) and (d)); waters used to wash vehicles (of dust and soil, not process materials such as concrete) where detergents are not used and detention and/or filtering is provided before the water leaves site; water used to control dust in accordance with item IV.D.2.c.ii.; potable water sources including waterline flushings; routine external building washdown which does not use detergents; uncontaminated ground water or spring water; foundation or footing drains where flows are not contaminated with process materials such as solvents.

III.B. Releases in excess of Reportable Quantities

The discharge of hazardous substances or oil in the storm water discharge(s) from a facility shall be prevented or minimized in accordance with the applicable storm water pollution prevention plan for the facility. This permit does not relieve the permittee of the reporting requirements of 40 CFR 117 and 40 CFR 302. Where a release containing a hazardous substance in an amount equal to or in excess of a reporting quantity established under either 40 CFR 117 or 40 CFR 302, occurs during a 24 hour period:

On this page...Section III.B.1.; III.C.; III.D.

1. The permittee is required to notify the National Response Center (NRC) (800-424-8802) and the Tennessee Emergency Management Agency (emergencies: 800-262-3300; non-emergencies: 800-262-3400) in accordance with the requirements of 40 CFR 117 and 40 CFR 302 as soon as he or she has knowledge of the discharge;
2. The permittee shall submit within 14 calendar days of knowledge of the release a written description of: the release (including the type and estimate of the amount of material released), the date that such release occurred, the circumstances leading to the release, what actions were taken to mitigate effects of the release, and steps to be taken to minimize the chance of future occurrences, to the appropriate Environmental Assistance Center at the address provided in subpart II.E. above; and
3. The storm water pollution prevention plan required under Part IV. of this permit must be modified within 14 calendar days of knowledge of the release: to provide a description of the release, the circumstances leading to the release, and the date of the release. In addition, the plan must be reviewed to identify measures to prevent the reoccurrence of such releases and to respond to such releases, and the plan must be modified where appropriate.

III.C. Spills

This permit does not authorize the discharge of hazardous substances or oil resulting from an on-site spill.

III.D. Discharge compliance with State Water Quality Standards

1. Violation of Water Quality Standards Prohibited

This permit does not authorize storm water or other discharges that would result in a violation of a State water quality standard (Rule Chapters 1200-4-3, 1200-4-4). Such discharges are a violation of this permit.

Where a discharge is already authorized under this permit and the Division determines the discharge to cause or contribute to the violation of applicable State water quality standards, the permitting authority will notify the operator of such violation(s). The permittee shall take all necessary actions to ensure future discharges do not cause or contribute to the violation of a water quality standard and shall document these actions in the pollution prevention plan. See also paragraph III.F.4. in cases where such a discharge affects a Section 303(d)-listed or impaired waterbody.

2. Discharge quality

a. The construction activity shall be carried out in such a manner as will prevent violations of water quality criteria as stated in Rule 1200-4-3-.03 of the Rules of the Tennessee Department of Environment and Conservation. This includes but is not limited to the prevention of any discharge that causes a condition in which visible solids, bottom deposits, or turbidity impairs the usefulness of waters of the state for any of the uses designated for that water body by Rule 1200-4-4. Use classifications for surface waters include fish and aquatic life, livestock watering and wildlife, recreation, irrigation, navigation, industrial water supply, and domestic water supply.

b. There shall be no distinctly visible floating scum, oil or other matter contained in the storm water discharge.

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c. The storm water discharge must not cause an objectionable color contrast in the receiving stream.

d. The storm water discharge must result in no materials in concentrations sufficient to be hazardous or otherwise detrimental to humans, livestock, wildlife, plant life, or fish and aquatic life in the receiving stream.

III.E. Responsibilities of operators

A permittee may meet one or both of the operational control components in the definition of "operator" found in Part IX. Either section III.E.1. or III.E.2. below, or both, will apply depending on the type of operational control exerted by an individual permittee. Section III.E.3. applies to all permittees.

1. Permittees with operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications (e.g., developer or owner) must:

   a. Ensure the project specifications that they develop meet the minimum requirements of Part IV (Storm Water Pollution Prevention Plans (SWPPP)) and all other applicable conditions;

   b. Ensure that the SWPPP indicates the areas of the project where they have operational control over project specifications (including the ability to make modifications in specifications), and ensure all other permittees implementing portions of the SWPPP impacted by any changes they make to the plan are notified of such modifications in a timely manner; and

   c. If parties with day-to-day operational control of the construction site have not been identified at the time the SWPPP is initially developed, the permittee with operational control over project specifications shall be considered to be the responsible party until such time as the authority is transferred to another party (e.g., general contractor) and the plan updated.

2. Permittee(s) with day-to-day operational control of those activities at a project which are necessary to ensure compliance with a SWPPP for the site or other permit conditions (e.g., general contractor) must:

   a. Ensure that the SWPPP for portions of the project where they are operators meets the minimum requirements of Part IV (Storm Water Pollution Plan) and identifies the parties responsible for implementation of control measures identified in the plan;
   b. Ensure that the SWPPP indicates areas of the project where they have operational control over day-to-day activities;

3. Permittees with operational control over only a portion of a larger construction project (e.g., one of four homebuilders in a subdivision) are responsible for compliance with all applicable terms and conditions of this permit as it relates to their activities on their portion of the construction site, including implementation of BMPs and other controls required by the SWPPP. Permittees shall ensure either directly or through coordination with other permittees, that their activities do not render another party's pollution control ineffective. Permittees must either implement their portions of a common SWPPP or develop and implement their own SWPPP.

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III.F. Additional requirements for discharges into waters listed on the Tennessee 303(d) list for siltation, or discharges upstream of waters impaired by siltation, that may affect the impaired waters; and for discharges to waters identified by the Department as high quality waters

1. The Storm Water Pollution Prevention Plan shall be submitted to the local Environmental Assistance Center. Plans for TDOT and TVA projects may be submitted to the central office of the Division of Water Pollution Control. This plan may be submitted with the NOI, but must be submitted prior to start of construction (including grubbing, clearing, excavation).

2. The permittee shall perform the inspections described in section IV.D.4. before anticipated storm events (or series of storm events such as intermittent showers over one or more days), and within 24 hours after the end of a storm event of 0.5 inches or greater, and at least once per week.

3. The permittee must certify on a weekly basis, on the form provided in Appendix D of this permit: i. that the weekly inspection of erosion and sediment controls and of outfall points was performed; and ii. whether or not all planned and designed erosion and sediment controls are installed and in working order. The certification must be executed by a person who meets the signatory requirements of subpart VII.G. of this permit. The record of certifications on the form in Appendix D must be submitted by the 15th of the month (postmarked) following the end of the quarter, to the address indicated in section II.E.1. Quarters are January – March, April – June, July – September, and October – December.

4. If the Division finds that a discharge is causing a violation of water quality standards or causing or contributing to the impairment of a 303(d) listed water or any water identified as impaired since promulgation of the latest 303(d) list, and finds that the discharger is complying with storm water pollution prevention plan requirements of this permit, the discharger will be notified by the Director in writing that the discharge is no longer eligible for coverage under the general permit and that continued discharges must be covered by an individual permit. To obtain the individual permit, the operator must file an individual permit application.

Part IV. Storm Water Pollution Prevention Plan (SWPPP)

A pollution prevention plan is required and a designated individual is to be responsible.

At least one storm water pollution prevention plan (SWPPP) shall be developed for each construction project or site covered by this permit. For more effective coordination of BMPs and opportunities for cost sharing, a cooperative effort by the different operators at a site to prepare and participate in a comprehensive SWPPP is encouraged. Individual operators at a site may, but are not required to develop separate SWPPPs that cover only their portion of the project. In instances where there is more than one SWPPP for a site, the permittees must ensure the storm water discharge controls and other measures are compatible with one another and do not prevent another operator from complying with permit conditions.

The General Purpose of the Plan

Storm water pollution prevention plans shall be prepared in accordance with good engineering practices. The plan shall identify potential sources of pollution which one would reasonably expect to affect the quality of storm water discharges from the construction site. The plan shall describe and ensure the implementation of practices which will be used to reduce the pollutants in storm water discharges associated with construction activity at the construction site and to assure compliance with the terms and conditions of this permit.

On this page...Section IV.A.; IV.B.

IV.A. Deadlines for plan preparation and compliance

1. For discharges authorized under a previous or existing general permit

   a. Immediate compliance, at a minimum, with requirements for a construction site storm water control plan, construction management techniques, vegetative controls, structural controls, discharge quality, and reporting and recordkeeping requirements in Appendix F [former Tennessee Rule Chapter 1200-4-10-.05, paragraphs (5), (6) and (7)]
   b. No later than January 1, 2001, for discharges addressed by part III.F. of this permit, compliance with subparts III.F.2. and 3., or by an earlier date if so notified in writing by the Division
   c. No later than December 31, 2001, or earlier if so notified in writing by the Division, compliance with all parts of this permit

2. For discharges not authorized under an NPDES permit as of the effective date of this permit, the plan shall:

   a. Be completed prior to the submittal of an NOI to be covered under this permit and updated as appropriate; and
   b. The plan shall provide for compliance with the terms and schedule of the plan beginning with the initiation of construction activities.

IV.B. Signature, plan review and making plans available

1. Plan must be correctly signed.

   The plan shall be signed by the operator (operators) in accordance with subpart VII.G., and be retained on-site at the facility which generates the storm water discharge in accordance with Part VI (retention of records) of this permit. If the site is inactive or does not have an onsite location adequate to store the pollution prevention plan, the location of the plan, along with a contact phone number, shall be posted on site. If the plan is located offsite, reasonable local access to the plan, during normal working hours, must be provided as described below.

2. The permittee shall post a notice near the main entrance of the construction site with the following information:

   a. A copy of the Notice of Coverage (NOC) with the NPDES permit number for the project;
   b. The name and telephone number of a local contact person;
   c. A brief description of the project; and
   d. The location of the SWPPP if the site is inactive or does not have an on-site location to store the plan.

   If posting this information near a main entrance is infeasible due to safety concerns, the notice shall be posted in a local public building. If the construction project is a linear construction project (e.g., pipeline, highway, etc.), the notice must be placed in a publicly accessible location near where construction is actively underway and moved as necessary. This permit does not provide the public with any right to trespass on a construction site for any reason, including inspection of a site. This permit does not require that permittees allow members of the public access to a construction site.

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3. Plans are subject to revision because of deficiencies identified by the Director.

   The Director, or authorized representative, may notify the permittee(s) at any time that the plan does not meet one or more of the minimum requirements of this Part. Such notification shall identify those provisions of the permit which are not being met by the plan. The dischargers shall have 48 hours, unless additional time is provided by the Director, after such notification to make changes to sediment and erosion controls to prevent the discharges of sediment from the site and 14 days to make necessary changes to the plan. The Director may take appropriate enforcement action for the period of time the permittee was operating under a plan that did not meet the minimum requirements of the permit. The Director, or authorized representative, may require revisions to the plan necessary to prevent a negative impact to legally protected state or federally listed or proposed threatened or endangered aquatic fauna.

4. The permittee shall make plans available upon request to the Director; or local agency approving sediment and erosion plans, grading plans, or storm water management plans; or in the case of a storm water discharge associated with industrial (construction) activity which discharges through a municipal separate storm sewer system with an NPDES permit, to the municipal operator of the system.

IV.C. Keeping plans current

The permittee must amend the plan:

i. Whenever there is a change in the scope of the project, which would be expected to have a significant affect on the discharge of pollutants to the waters of the State and which has not otherwise been addressed in the plan;
ii. Whenever inspections or investigations by site operators, local, State or federal officials indicate the storm water pollution prevention plan is proving ineffective in eliminating or significantly minimizing pollutants from sources identified under section IV.D.2 of this permit, or is otherwise not achieving the general objectives of controlling pollutants in storm water discharges associated with construction activity;
iii. To identify any new contractor and/or subcontractor that will implement a measure of the storm water pollution prevention plan (see subpart III.E. for further description of which contractors must be identified); and
iv. To include measures necessary to prevent a negative impact to legally protected state or federally listed or proposed threatened or endangered aquatic fauna. Amendments to the plan may be reviewed by the State of Tennessee and EPA in the same manner as subpart IV.B above.

IV.D. Components of Storm Water Pollution Prevention Plan

The storm water pollution prevention plan (SWPPP) shall include the following items:

1. Site description

   Each plan shall provide a description of pollutant sources and other information as indicated:

   a. A description of the nature of the construction activity;
   b. A description of the intended sequence of major activities which disturb soils for major portions of the site (e.g., grubbing, excavation, grading, utilities and infrastructure installation, etc.);
   c. Estimates of the total area of the site and the total area of the site that is expected to be disturbed by excavation, grading, or other activities;

On this page...beginning at Section IV.D.1.d.; IV.D.2.

d. Any data describing the soil (data may be referenced or summarized) or the quality of any discharge from the site;
e. An estimate of the runoff coefficient of the site after construction activities are completed;
f. A general location map (e.g. portion of a city or county map or similar scale) and a site map indicating drainage patterns and approximate slopes anticipated after major grading activities, areas of soil disturbance, an outline of areas which are not to be disturbed, the location of major structural and nonstructural controls identified in the plan, the location of areas where stabilization practices are expected to occur, surface waters including wetlands, sinkholes, and locations where storm water is discharged to a surface water;
g. Careful identification on the site map of outfall points for storm water discharges from the site; the plan shall identify outfall points intended for coverage under the general permit;
h. A description of any discharge associated with industrial activity other than construction storm water that originates on site and the location of that activity; and
i. The name of the receiving water(s), and approximate size and location of affected wetland acreage at the site.

2. What storm water runoff controls must be used?

Each plan shall include a description of appropriate controls and measures that will be implemented at the construction activity. The plan must clearly describe for each major activity identified in paragraph IV.D.1.b: (a) appropriate control measures and the general timing during the construction process that the measures will be implemented and (b) which permittee is responsible for implementation of which controls. The description and implementation of controls shall address the following minimum components; additional controls may be necessary to comply with section III.D.2:

a. Erosion and sediment controls

i. General criteria and requirements

(a) The construction-phase erosion and sediment controls shall be designed to retain sediment on site.
(b) All control measures must be properly selected, installed, and maintained in accordance with the manufacturer's specifications and good engineering practices. If periodic inspections or other information indicates a control has been used inappropriately, or incorrectly, the permittee must replace or modify the control for site situations.
(c) If sediment escapes the construction site, off-site accumulations of sediment that have not reached a stream must be removed at a frequency sufficient to minimize offsite impacts (e.g., fugitive sediment that has escaped the construction site and has collected in street must be removed so that it is not subsequently washed into storm sewers and streams by the next rain and/or so that it does not pose a safety hazard to users of public streets). Permittees shall not initiate remediation/restoration of a stream without consulting the Division first. This permit does not, however, authorize access to private property.
(d) Sediment should be removed from sediment traps, silt fences, sedimentation ponds, and other sediment controls as necessary, and must be removed when design capacity has been reduced by 50%.
(e) Litter, construction debris, and construction chemicals exposed to storm water shall be picked up prior to anticipated storm events (e.g. forecasted by local

On this page...Section IV.D.2.a.i.(e) (continued); IV.D.2.a.ii.

weather reports), or otherwise prevented from becoming a pollutant source for storm water discharges (e.g., screening outfalls, daily pick-up, etc.). After use, silt fences should be removed or otherwise prevented from becoming a pollutant source for storm water discharges.

(f) Offsite material storage areas (also including overburden and stockpiles of dirt, etc.) used solely by the permitted project are considered a part of the project and shall be addressed in the pollution prevention plan.

(g) Pre-construction vegetative ground cover shall not be destroyed, removed or disturbed more than 20 calendar days prior to grading or earth moving unless the area is seeded and/or mulched or other temporary cover is installed.

(h) Clearing and grubbing must be held to the minimum necessary for grading and equipment operation.

(i) Construction must be sequenced to minimize the exposure time of graded or denuded areas.

(j) Construction must be phased for projects in which over 50 acres of soil will be disturbed. Areas of the completed phase must be stabilized within 21 days after another phase has been initiated.

(k) Erosion and sediment control measures must be in place and functional before earth moving operations begin, and must be constructed and maintained throughout the construction period. Temporary measures may be removed at the beginning of the work day, but must be replaced at the end of the work day.

(l) The following records shall be maintained on site: the dates when major grading activities occur; the dates when construction activities temporarily or permanently cease on a portion of the site; and the dates when stabilization measures are initiated.

ii. Stabilization practices

The plan shall include a description of interim and permanent stabilization practices, including site-specific scheduling of the implementation of the practices. Site plans should ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized. Site plans should give consideration to using waterway buffer areas in which construction activities, borrow and/or fill are prohibited. Stabilization practices may include: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures. Use of impervious surfaces for stabilization should be avoided.

(a) Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than seven days after the construction activity in that portion of the site has temporarily or permanently ceased. Except in the following two situations: i. where the initiation of stabilization measures by the seventh day is precluded by snow cover or frozen ground conditions, stabilization measures shall be initiated as soon as practicable; or ii. where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within 15 days, temporary stabilization measures do not have to be initiated on that portion of site.

On this page...Section IV.D.2.a.ii.(b); IV.D.a.iii.

(b) Temporary or permanent soil stabilization shall be accomplished within 15 days after final grading or other earth work. Permanent stabilization with perennial vegetation (using native herbaceous and woody plants where practicable) or other permanently stable, non-eroding surface shall replace any temporary measures as soon as practicable.

iii. Structural practices

The plan shall include a description of structural practices to divert flows from exposed soils, store flows or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable. Such practices may include silt fences, earth dikes, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins. Structural controls shall not be placed in streams or wetlands except as authorized by a section 404 permit and/or Tennessee Aquatic Resource Alteration Permit.

(a) Erosion and sediment control measures shall be designed according to the size and slope of disturbed or drainage areas to detain runoff and trap sediment. In addition, erosion and sediment controls shall be designed to control the rainfall and runoff from a 2 year, 24 hour storm, as a minimum. (Approx. values: Memphis, 4.0 inches/24 hours; Nashville, 3.5 inches/24 hours; Chattanooga, 3.6 inches/24 hours; and Knoxville, 3.2 inches/24 hours. See Appendix C.) Permittees shall maintain a rain gauge at the site.

(b) For common drainage locations that serve an area with 10 or more acres disturbed at one time, a temporary (or permanent) sediment basin that provides storage for a calculated volume of runoff from a 2 year, 24 hour storm and runoff coefficient from each disturbed acre drained, or equivalent control measures, shall be provided where attainable until final stabilization of the site. Where no such calculation has been performed, a temporary (or permanent) sediment basin providing 3,600 cubic feet of storage per acre drained, or equivalent control measures, shall be provided until final stabilization of the site. When computing the number of acres draining into a common location, it is not necessary to include flows from offsite areas and flows from onsite areas that are either undisturbed or have undergone final stabilization where such flows are diverted around both the disturbed area and the sediment basin. For drainage locations which serve 10 or more disturbed acres at one time and where a temporary sediment basin providing 3,600 cubic feet of storage per acre drained, or equivalent controls are not attainable, multiple, smaller sediment basins and/or sediment traps must be used.

(c) Discharges from sediment basins and traps must be through a pipe or lined or well grassed channel so that the discharge does not cause erosion.

(d) Muddy water to be pumped from excavation and work areas must be held in settling basins or filtered prior to its discharge into surface waters. Water must be discharged through a pipe, well grassed or lined channel or other equivalent means so that the discharge does not cause erosion and sedimentation.

On this page...Section IV.D.2.b.

b. Storm water management

The SWPPP shall include a description of measures that will be installed during the construction process to control pollutants in storm water discharges that will occur after construction operations have been completed. This permit only addresses the installation of storm water management measures, and not the ultimate operation and maintenance of such structures after the construction activities have been completed and the site has undergone final stabilization. Permittees are only responsible for the installation and maintenance of storm water management measures prior to final stabilization of the site, and are not responsible for maintenance after storm water discharges associated with construction activity have been eliminated from the site.

i. Such practices may include: storm water detention structures (including wet ponds); storm water retention structures; flow attenuation by use of open vegetated swales and natural depressions; infiltration of runoff onsite; and sequential systems (which combine several practices). The pollution prevention plan shall include an explanation of the technical basis used to select the practices to control pollution where flows exceed predevelopment levels.

ii. Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel to provide a non-erosive velocity flow from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected (e.g., no significant changes in the hydrological regime of the receiving water).

c. Other items needing control

i. No solid materials, including building materials, shall be discharged to waters of the United States, except as authorized by a section 404 permit and/or Tennessee Aquatic Resource Alteration Permit.
ii. Off-site vehicle tracking of sediments and the generation of dust shall be minimized.
iii. For installation of any waste disposal systems on site, or sanitary sewer or septic system, the plan shall provide for the necessary sediment controls. Permittees must also comply with applicable State and/or local waste disposal, sanitary sewer or septic system regulations for such systems to the extent these are located within the permitted area.
iv. The plan shall include a description of construction and waste materials expected to be stored on-site with updates as appropriate. The SWPPP shall also include a description of controls to reduce pollutants from these materials including storage practices to minimize exposure of the materials to storm water, and spill prevention and response.
v. A description of storm water sources from areas other than construction and a description of controls and measures that will be implemented at those sites.
vi. The plan shall include measures to protect legally protected state or federally listed threatened or endangered aquatic fauna and/or critical habitat (if applicable).

d. Approved local government sediment and erosion control requirements

i Permittees must include in their plan any procedures and requirements specified in applicable sediment and erosion site plans or site permits, or storm water management site plans or site permits approved by local officials.

On this page...Section IV.D.2.a.iii.d. (continued); IV.D.3.

Permittees shall comply with any such requirements during the term of the permit. This provision does not apply to provisions of master plans, comprehensive plans, non -enforceable guidelines or technical guidance documents that are not identified in a specific local government plan or permit that is issued for the construction site.

ii. Storm water pollution prevention plans must be amended to reflect any change that is instituted by the local government to sediment and erosion site plans or site permits, or storm water management site plans or site permits for which the permittee receives written notice.

3. Maintenance

The plan shall describe procedures to ensure that vegetation, erosion and sediment control measures and other protective measures identified in the site plan are kept in good and effective operating condition. Maintenance needs identified in inspections or by other means shall be accomplished before the next storm event if possible, but in no case more than seven days after the need is identified. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable.

4. Inspections

a. Inspector training and certification

(Reserved)

b. Schedule of inspections

i. Except for construction sites identified according to Part III.F.*, inspections, described in paragraphs c., d., and e. below, shall be done before anticipated storm events (or series of storm events such as intermittent showers over one or more days), and within 24 hours after the end of a storm event of 0.5 inches or greater, and at least once every fourteen calendar days. Where sites have been finally or temporarily stabilized, or runoff is unlikely due to winter conditions (e.g. site covered with snow, ice, or frozen ground), such inspection only has to be conducted once per month.

ii. For discharges identified for additional requirements under Part III.F.*, inspections, described in paragraphs c., d., and e. below, shall be performed before anticipated storm events (or series of storm events such as intermittent showers over one or more days), within 24 hours after the end of a storm event of 0.5 inches or greater, and at least once per week.

* Discharges into waters listed on the Tennessee 303(d) list for siltation or waters identified by the Department as impaired because of siltation since promulgation of the latest 303(d) list; and for discharges to waters identified by the Department as high quality waters.

iii. Inspections and associated, necessary repairs done 60 hours before a rain event constitute compliance with “before anticipated storm events,” and inspections and repairs on a Friday meet the requirement for rain events over the weekend.

On this page...Section IV.D.4.c.

c. Qualified personnel (provided by the permittee or cooperatively by multiple permittees) shall inspect disturbed areas of the construction site that have not been finally stabilized, areas used for storage of materials that are exposed to precipitation, structural control measures, and locations where vehicles enter or exit the site.

d. Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of, or the potential for, pollutants entering the drainage system. Erosion and sediment control measures identified in the plan shall be observed to ensure that they are operating correctly.

e. Outfall points (where discharges from the site enter streams or wet weather conveyances) shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters. Where discharge locations are inaccessible, nearby downstream locations shall be inspected if possible. Locations where vehicles enter or exit the site shall be inspected for evidence of offsite sediment tracking.

f. Based on the results of the inspection, any inadequate control measures or control measures in disrepair shall be replaced or modified, or repaired as necessary, before the next rain event if possible, but in no case more than seven days after the need is identified. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable.

g. Based on the results of the inspection, the site description identified in the plan in accordance with paragraph IV.D.1 of this permit and pollution prevention measures identified in the plan in accordance with paragraph IV.D.2 of this permit shall be revised as appropriate, but in no case later than 14 calendar days following the inspection. Such modifications shall provide for timely implementation of any changes to the plan in no case later than 21 calendar days following the inspection.

h. Inspections shall be documented and include the scope of the inspection, name(s) and title or qualifications of personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of the storm water pollution prevention plan (including the location(s) of discharges of sediment or other pollutants from the site and of any control device that failed to operate as designed or proved inadequate for a particular location), and actions taken in accordance with paragraph IV.D.4.f. of the permit.

5. Non-storm water discharges

Sources of non-storm water listed in section III.A.3 of this permit that are combined with storm water discharges associated with construction activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge. Any non-storm water must be discharged through stable discharge structures.

On this page...Part V.; Part VI.; Part VII.; VII.B.

Part V. (Reserved)

Part VI. Retention of records

VI.A. Documents

The permittee shall retain copies of storm water pollution prevention plans and all reports required by this permit, and records of all data used to complete the Notice of Intent to be covered by this permit, for a period of at least three years from the date the notice of termination is filed. This period may be extended by written request of the Director.

VI.B. Accessibility

The permittee shall retain a copy of the storm water pollution prevention plan required by this permit (including a copy of the permit language) at the construction site (or other local location accessible to the Director and the public) from the date construction commences to the date of final stabilization. The permittees with day to day operational control over pollution prevention plan implementation shall have a copy of the plan available at a central location onsite for the use of all operators and those identified as having responsibilities under the plan whenever they are on the construction site.

VII. Standard permit conditions

VII.A. Duty to comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of CWA and is grounds for enforcement action; for termination of permit coverage, or for denial of a permit renewal application.

VII.B. Continuation of the expired general permit

This permit expires five years after the effective date. However, an expired general permit may continue in force and effect until a new general permit replaces the expired one. To retain coverage under the continued permit, permittees should provide notice of their intent to remain covered under this permit at least 30 days prior to the expiration date. Coverage under the expired general permit will terminate 90 days after the effective date of a new general permit that replaces the expired one. The notice must be signed in accordance with section VII.G.1. of this permit and must contain the following information:

i. Name, address and telephone number of the operator; and
ii. The existing storm water construction permit number.

This information may be submitted on a post card or in a letter and shall be submitted to the appropriate Environmental Assistance Center of the Division of Water Pollution Control, as given in subpart II.D.

VII.C. Need to halt or reduce activity not a defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

On this page…beginning at VII.D.

VII.D. Duty to mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit.

VII.E. Duty to provide information

The permittee shall furnish to the Director or an authorized representative of the Director any information which is requested to determine compliance with this permit or other information.

VII.F. Other information

When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the Notice of Intent or in any other report to the Director, he or she shall promptly submit such facts or information.

VII.G. Signatory requirements

All Notices of Intent, storm water pollution prevention plans, reports, certifications or information either submitted to the Director or the operator of a large or medium municipal separate storm sewer system shall be signed as follows:

1. All Notices of Intent shall be signed as follows:

   a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25,000,000 (in second-quarter 1980 dollars) if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
   b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
   c. For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

2. Storm water pollution prevention plans, reports, certifications or other information submittals shall be signed as follows:

   All reports required by the permit and other information requested by the Director or authorized representative of the Director shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

On this page... Section VII.G.2. (continued); VII.H.; VII.I.

a. The authorization is made in writing by a person described above and submitted to the Director.

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position).

c. Changes to authorization. If an authorization under section II.B.3. is no longer accurate because a different operator has responsibility for the overall operation of the construction site, a new notice of intent satisfying the requirements of paragraph II.B must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.

3. Certification. Except as noted in section 4 below, any person signing documents under paragraph VII.G shall make the following certification. Thus, this certification must precede the signature on any report to be signed and submitted pursuant to this permit:

> I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

4. Construction contractors required to sign an NOI because they meet the definition of an operator but who are not primarily responsible for preparing an NOI, shall sign the following certification statement on the NOI:

> I certify under penalty of law that I have reviewed this document, any attachments, and the SWPPP referenced above. Based on my inquiry of the construction site owner/developer identified above and/or my inquiry of the person directly responsible for assembling this Notice of Intent, I believe the information submitted is accurate. I am aware that this NOI, if approved, makes the above-described construction activity subject to NPDES permit number TNR100000, and that certain of my activities on-site are thereby regulated. I am aware that there are significant penalties, including the possibility of fine and imprisonment for knowing violations, for failure to comply with these permit requirements.

VII.H. Penalties for falsification of reports

Knowingly making any false statement on any report required by this permit may result in the imposition of criminal penalties as provided for in Section 309 of the Federal Water Pollution Control Act and in T.C.A. §69-3-115 of the Tennessee Water Quality Control Act.

VII.I. Oil and hazardous substance liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject

On this page... Section VII.I. (continued)

under section 311 of the CWA or section 106 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA).

VII.J. Property rights

The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations. The issuance of this permit does not authorize trespassing or discharges of storm water or non-storm water across private property.

VII.K. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

VII.L. Requiring an individual permit

1. Director can require a site to obtain an individual permit.

   The Director may require any person authorized by this permit to apply for and/or obtain an individual NPDES permit. Any interested person may petition the Director to take action under this paragraph. Where the Director requires a discharger authorized to discharge under this permit to apply for an individual NPDES permit, the Director shall notify the discharger in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form if needed, a statement setting a deadline for the discharger to file the application, and a statement that on the effective date of issuance or denial of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Applications shall be submitted to the appropriate Environmental Assistance Center of the Division as indicated in subpart II.E of this permit. The Director may grant additional time to submit the application upon request of the applicant. If a discharger fails to submit in a timely manner an individual NPDES permit application as required by the Director under this paragraph, then the applicability of this permit to the individual NPDES permittee is automatically terminated at the end of the day specified by the Director for application submittal.

2. Permittee may request individual permit instead of this permit.

   Any discharger authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. In such cases, the permittee shall submit an individual application in accordance with the requirements of 40 CFR 122.26(c)(1)(ii), with reasons supporting the request, to the Water Pollution Control office of the appropriate Department Environmental Assistance Center. The request may be granted by issuance of an individual permit, or alternative general permit, if the reasons cited by the permittee are adequate to support the request.

3. Individual permit terminates general permit.

   When an individual NPDES permit is issued to a discharger otherwise subject to this permit, or the discharger is authorized to discharge under an alternative NPDES general permit, the

On this page…Section VII.L.3. (continued); VII.M.

applicability of this permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual NPDES permit is denied to an owner or operator otherwise subject to this permit, or the owner or operator is denied for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the date of such denial, unless otherwise specified by the Director.

VII.M. Other, non-storm water, program requirements

No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

VII.N. Proper operation and maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of storm water pollution prevention plans.

Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

VII.O. Inspection and entry

The permittee shall allow authorized representatives of the Environmental Protection Agency, the Director or an authorized representative of the Director of the Division of Water Pollution Control, or, in the case of a construction site which discharges through a municipal separate storm sewer, an authorized representative of the municipal operator or the separate storm sewer receiving the discharge, upon the presentation of credentials and other documents as may be required by law:

i. To enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
ii. To have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and
iii. To inspect any facilities or equipment (including monitoring and control equipment).

VII.P. Permit actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

VII.Q. Liabilities

1. Civil and criminal liability

Except as provided in this permit, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Notwithstanding this permit, the permittee shall remain liable for any damages sustained by the State of Tennessee, including

On this page... Section VII.Q.1. (continued); Part VIII.

but not limited to fish kills and losses of aquatic life and/or wildlife, as a result of the discharge of waste water to any surface or subsurface waters. Additionally, notwithstanding this permit, it shall be the responsibility of the discharger to conduct its waste water treatment and/or discharge activities in a manner such that public or private nuisances or health hazards will not be created.

2. Liability under State law

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or the Federal Water Pollution Control Act, as amended.

Part VIII. Termination of coverage

VIII.A. Notice of Termination (NOT)

1. Where a site has been finally stabilized and all storm water discharges from construction activities that are authorized by this permit are eliminated, or where storm water discharges have otherwise been eliminated, or where the operator of all storm water discharges at a facility changes, the permittee must submit a Notice of Termination that is signed in accordance with Subpart VII.G of this permit.

2. The Notice of Termination shall be submitted on the Division's NOT form provided in Appendix B of this permit.

3. The following certification signed in accordance with Subpart VI.G (signatory requirements) of this permit:

> I certify under penalty of law that either: (a) all storm water discharges associated with construction activity from the portion of the identified facility where I was an operator have ceased or have been eliminated or (b) I am no longer an operator at the construction site. I understand that by submitting this notice of termination, I am no longer authorized to discharge storm water associated with construction activity under this general permit, and that discharging pollutants in storm water associated with construction activity to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by a NPDES permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit or the Clean Water Act.

4. For the purposes of this certification, elimination of storm water discharges associated with construction activity means that all disturbed soils at the portion of the construction site where the operator had control have been finally stabilized and temporary erosion and sediment control measures have been removed or will be removed at an appropriate time to insure final stabilization is maintained, or that all storm water discharges associated with construction activities from the identified site that are authorized by a NPDES general permit have otherwise been eliminated from the portion of the construction site where the operator had control.

VIII.B. Addresses

All Notices of Termination are to be sent, using the form provided by the Director (or a photocopy thereof), to the address of the appropriate Environmental Assistance Center.

On this page...Part IX.

Part IX. Definitions

"Best Management Practices" ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

"Clearing," in the definition of discharges associated with construction activity, does not refer to clearing of vegetation along roadways, highways or power lines for sight distance or other maintenance and/or safety concerns, or cold planing, milling, and/or removal of concrete and/or bituminous asphalt roadway pavement surfaces. Clearing typically refers to removal of vegetation and disturbance of soil prior to grading or excavation in anticipation of construction activities. Clearing may also refer to wide area land disturbance in anticipation of non-construction activities; for instance, clearing forested land in order to convert forest land to pasture for wildlife management purposes.

"Control measure"--As used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the United States.

"Commencement of construction"--The initial disturbance of soils associated with clearing, grading, or excavating activities or other construction activities.

"CWA" means the Clean Water Act or the Federal Water Pollution Control Act, 33 U.S.C 1251 et seq.

"Director" means the Director of the Division of Water Pollution Control of the State of Tennessee.

"Discharge of storm water associated with construction activity"--As used in this permit, refers to storm water point source discharges from areas where soil disturbing activities (e.g., clearing, grading, or excavation, etc.), or construction materials or equipment storage or maintenance (e.g., earth fill piles, fueling, etc.) are located.

"Final stabilization" means that all soil disturbing activities at the site have been completed, and that a perennial vegetative cover sufficient to prevent erosion has been well established on all unpaved areas, and/or equivalent permanent stabilization measures have been employed.

"Grading" and "excavation" do not refer to cold planing, milling, and/or removal of concrete and/or bituminous asphalt roadway pavement surfaces.

"High quality waters" are surface waters of the State of Tennessee that are identified by the Department as high quality waters. Characteristics of high quality waters are listed at Rule 1200-4-3-.06 of *the official compilation - rules and regulations of the State of Tennessee.* Characteristics include waters designated by the Water Quality Control Board as Outstanding National Resource Waters (ONRW); waters that provide habitat for ecologically significant populations of certain aquatic or semi-aquatic plants or animals; waters that provide specialized recreational opportunities; waters that possess outstanding scenic or geologic values; or waters where existing conditions are better than water quality standards. High quality waters are sometimes referred to as Tier II or Tier III (ONRW) waters.

"Large and Medium municipal separate storm sewer system" means all municipal separate storm sewers that are either:

(i) Located in an incorporated place (city) with a population of 100,000 or more as determined by the latest Decennial Census by the Bureau of Census (these cities are listed in Appendices F and G of 40 CFR 122); or

(ii) Located in the counties with unincorporated urbanized populations of 100,000 or more, except municipal separate storm sewers that are located in the incorporated places, townships or towns within such counties (these counties are listed in Appendices H and I of 40 CFR 122); or

(iii) Owned or operated by a municipality other than those described in paragraph (i) or (ii) and that are designated by the Director as part of the large or medium municipal separate storm sewer system.

"NOI" means notice of intent to be covered by this permit (see Part II of this permit.)

"NOT" means notice of termination (see Part VIII of this permit).

"Monthly" refers to calendar months.

On this page... Part IX. continued

"Operator" for the purpose of this permit and in the context of storm water associated with construction activity, means any party associated with a construction project that meets either of the following two criteria:

i. The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or

(This will typically be the owner or developer - one who has control over project specifications.)

ii. The party has day-to-day operational control of those activities at a project which are necessary to ensure compliance with a storm water pollution prevention plan for the site or other permit conditions

iii. (e.g., they are authorized to direct workers at a site to carry out activities required by the SWPPP or comply with other permit conditions).

(This will typically include the general contractor and would also include erosion control contractors.)

"Point source" means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

"Runoff coefficient" means the fraction of total rainfall that will appear at the conveyance as runoff.

"Storm water" means storm water runoff, snow melt runoff, and surface runoff and drainage.

"Storm water associated with industrial activity" is defined at 40 CFR 122.26(b)(14) and incorporated here by reference. Most relevant to this permit is 40 CFR 122.26(b)(14)(x), which relates to construction activity including clearing, grading and excavation activities.

"Storm water discharge-related activities" include: a. activities which cause, contribute to, or result in point source storm water pollutant discharges, including but not limited to: excavation, site development, grading and other surface disturbance activities; and b. measures to control storm water including the siting, construction and operation of best management practices (BMPs) to control, reduce or prevent storm water pollution.

"Take" of an endangered species means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or attempt to engage in any such conduct.

"Waters" or "waters of the state" is defined in the Tennessee Water Quality Control Act and means any and all water, public or private, on or beneath the surface of the ground, which are contained within, flow through or border upon Tennessee or any portion thereof except those bodies of water confined to and retained within the limits of private property in single ownership which do not combine or effect a junction with natural surface or underground waters.

(End of body of permit; appendices follow.)

Department of Environment and Conservation
Division of Water Pollution Control

CONSTRUCTION ACTIVITY – STORM WATER DISCHARGES
NOTICE OF INTENT (NOI)

Name of the construction project (site) **County/(ies)**	Existing NPDES Permit No. (if site is already permitted) TNR
Street address (or description of location) and nearest city ❑ Map attached (required)	Latitude Longitude
Construction project (site) description Area to be disturbed (acres)	Start date Estimated end date
Construction site owner/developer: legal name and mailing address, including zip code	Contact person, phone number and e-mail address
Name(s) of stream(s), wetland(s), lake(s) or other waters of the state receiving storm water runoff from the construction site	
Do there appear to be streams ❑ and/or wetlands ❑ on the construction site? ❑ Yes ❑ No	
If an Aquatic Resource Alteration Permit (ARAP) has been obtained for this site, provide the permit number.	
Has the Storm Water Pollution Prevention Plan (SWPPP) been developed? ❑ Yes ❑ No	
Note that the NOI will be considered incomplete if you answered "No" to the above question. Submit the NOI when the SWPPP is developed.	

Permit Application Certification and Signature (must be signed by President, Vice-President or equivalent, or ranking elected official)

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Representative of owner/developer; print or type	Signature	Date

Certification for Contractor(s) (must be signed by President, Vice President or equivalent, or ranking elected official)

I certify under penalty of law that I have reviewed this document, any attachments, and the SWPPP referenced above. Based on my inquiry of the construction site owner/developer identified above, and/or my inquiry of the person directly responsible for assembling this Notice of Intent, I believe the information submitted is accurate. I am aware that this NOI, if approved, makes the above-described construction activity subject to NPDES permit number TNR100000, and that certain of my activities on-site are thereby regulated. I am aware that there are significant penalties, including the possibility of fine and imprisonment for knowing violations, and for failure to comply with these permit requirements.

1. Company name of primary contractor; print or type	Signature by representative of primary contractor	Date
2. Company name of other contractor; print or type	Signature by representative of other contractor	Date
3. Company name of other contractor; print or type	Signature by representative of other contractor	Date

OFFICIAL STATE USE ONLY

Received Date	EAC	Permit Number **TNR**	Reviewer	Notice of Coverage Date
303d Receiving Stream	High Quality Water	Threatened and Endangered Aquatic Fauna		

CONSTRUCTION ACTIVITY – STORM WATER DISCHARGES
NOTICE OF INTENT (NOI) - INSTRUCTIONS

Purpose of this form. A completed Notice of Intent (NOI) must be submitted to obtain coverage under the Tennessee General NPDES Permit for discharges of storm water associated with construction activity. This permit is required for storm water discharge(s) from construction sites that involve grubbing, clearing, grading or excavation of five or more acres of land. This form should be submitted at least 30 days prior to the start date of any land disturbing activities such as grubbing, clearing, grading or excavation.

Notice of Coverage. The Division will process your application and return to you a Notice of Coverage (NOC). Runoff from the construction site will not be permitted until the Division has prepared this NOC.

Completing the form. Type or print clearly, using ink and not markers or pencil. Answer each item or enter "NA," for not applicable, if a particular item does not fit the circumstances or characteristics of your construction site or activity. If you need additional space, attach a separate piece of paper to the NOI form.

Who must submit the NOI form? The NOI form must be signed by the "operator(s)" of the construction site. Operators will most likely include the developer of the site, and the primary contractor(s). "Operator" means any party associated with the construction project that meets either of the following two criteria: (1) the party has operational control over project specifications (including the ability to make modifications in specifications); or (2) the party has day-to-day operational control of those activities at a project site which are necessary to ensure compliance with the storm water pollution prevention plan or other permit conditions (e.g., they are authorized to direct workers at the site to carry out activities identified in the storm water pollution prevention plan or comply with other permit conditions). If a contractor has not been identified at the time the NOI is submitted by the developer, the contractor(s) must submit a separate NOI in order to obtain authorization under this permit. The contractor must include the NPDES permit number that is already assigned to the site, along with the name of the construction project and its location.

Describe and locate the project. Use the legal or official name of the construction site. If a construction site lacks street name or route number, give the most accurate geographic information available to describe the location (reference to adjacent highways, roads and structures; e.g. intersection of state highways 70 and 100). Latitude and longitude of the center of the site can be located on USGS quadrangle maps. The quadrangle maps can be obtained at 1-800-USA-MAPS, or at the Census Bureau Internet site: http://www.census.gov/cgi-bin/gazetteer. Attach a copy of a portion of a 7.5 minute quad map, showing location of site, with boundaries at least one mile outside the site boundaries. Provide estimated starting date of clearing activities and completion date of the project, and an estimate of the number of acres of the site on which soil will be disturbed, including borrow areas, fill areas and stockpiles.

Give name of the receiving stream. Trace the route of storm water runoff from the construction site and determine the name of the river(s), stream(s), creek(s), wetland(s), lake(s) or any other water course(s) into which the storm water runoff drains. Note that the receiving water course may or may not be located on the construction site. If the first water body receiving construction site runoff is unnamed ("unnamed tributary"), determine the name of the water body which the unnamed tributary enters.

ARAP permit may be required. If your work will disturb or cause alterations of a stream or wetland, you must obtain an appropriate Aquatic Resource Alteration Permit (ARAP). If you have a question about the ARAP program or permits, contact your local Environmental Assistance Center.

You must prepare a Storm Water Pollution Prevention Plan (SWPPP) prior to submitting the NOI.

Submitting the form and obtaining more information. Note that this form must be signed by the company President, Vice-President, or a ranking elected official in the case of a municipality. For more information, contact your local Environmental Assistance Center at the toll-free number 1-888-891-8332 (TDEC). Submit the completed NOI form to the appropriate EAC below (call the toll-free number to determine), addressed with **Attention: Storm Water NOI Processing**.

Environmental Assistance Centers(EACs) - Division of Water Pollution Control - Addresses

EAC Office	Street Address	Zip Code	EAC Office	Street Address	Zip Code
Memphis	2510 Mt. Moriah Road STE E-645	38115-1520	Cookeville	1221 South Willow Ave.	38506
Jackson	362 Carriage House Drive	38305-2222	Chattanooga	540 McCallie Avenue STE 550	37402-2013
Nashville	711 R. S. Gass Boulevard	37216	Knoxville	2700 Middlebrook Pike STE 220	37921
Columbia	2484 Park Plus Drive	38401	Johnson City	2305 Silverdale Road	37601

Department of Environment and Conservation
Division of Water Pollution Control

NOTICE OF TERMINATION (NOT) – STORM WATER DISCHARGES CONSTRUCTION ACTIVITY

The purpose of this form is to notify the Tennessee Department of Environment and Conservation that you, as a permitted operator of storm water discharges from a construction activity, no longer have responsibilities related to erosion and sediment controls at the construction site. Type or print clearly, using ink and not markers or pencil.

NPDES Permit Number TNR __ __ __ __ __ __ (Include the NPDES permit number for the site.)

Name of the construction project (site)

Street address (or description of location)

Legal name of the construction site operator

Mailing address	Telephone number and/or e-mail address ( )

Have the storm water discharges associated with construction activity been eliminated? ❑ Yes ❑ No

If YES, provide the date at which the construction site was finally stabilized.

Construction activities at the site continue, but my responsibilities with respect to the construction activities have ceased. ❑ Yes ❑ No

If YES, provide the name, mailing address and telephone number of any new operators (for instance, an operator who has taken over your responsibilities) involved with soil disturbance at the construction site.

Certification and Signature (must be signed by President, Vice President or equivalent, or ranking elected official)

I certify under penalty of law that either: (a) all storm water discharges associated with construction activity from the portion of the identified facility where I was an operator have ceased or have been eliminated or (b) I am no longer an operator at the construction site. I understand that by submitting this notice of termination, I am no longer authorized to discharge storm water associated with construction activity under this general permit, and that discharging pollutants in storm water associated with construction activity to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by a NPDES permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit or the Clean Water Act.

For the purposes of this certification, elimination of storm water discharges associated with construction activity means that all disturbed soils at the portion of the construction site where the operator had control have been finally stabilized and temporary erosion and sediment control measures have been removed or will be removed at an appropriate time to insure final stabilization is maintained, or that all storm water discharges associated with construction activities from the identified site that are authorized by a NPDES general permit have otherwise been eliminated from the portion of the construction site where the operator had control.

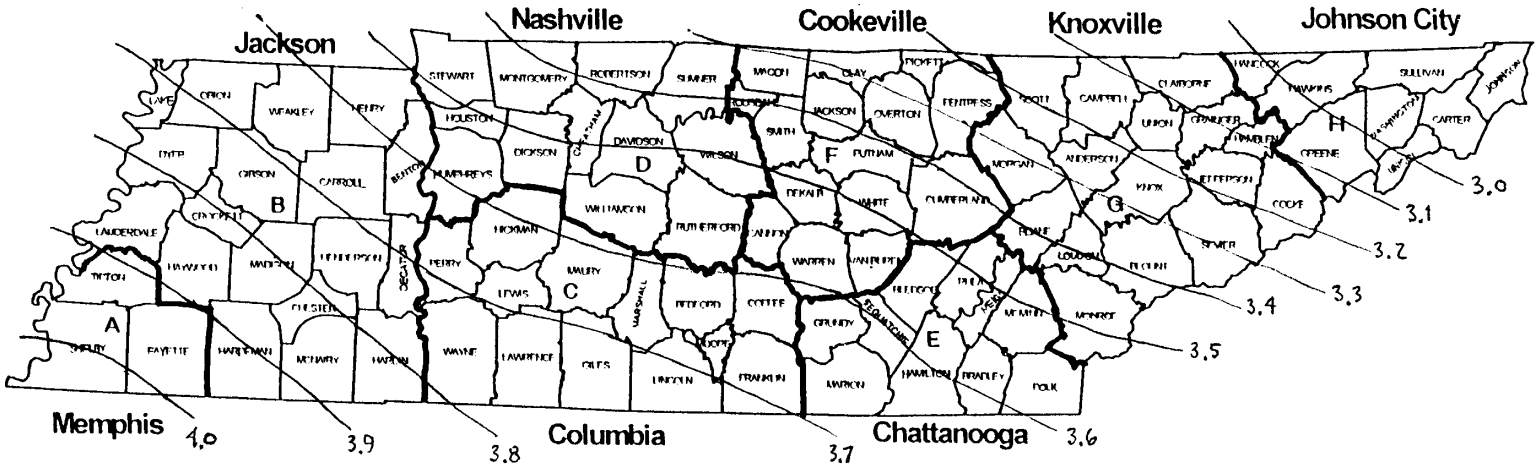
Printed name (construction site operator)	Signature	Date

Permittees who are presently covered under the Tennessee General NPDES Permit to Discharge Storm Water Associated with Construction Activity must submit a Notice of Termination (NOT) after completion of their construction activities and final stabilization of their portion of the site, or within 30 days after another operator has taken over all of their responsibilities at the site. A permittee cannot submit a NOT without final stabilization unless another party has agreed to assume responsibility for final stabilization of the site. A completed NOT form should be submitted to the local Division of Water Pollution Control Office address (see table below), and marked "**Storm Water Notice of Termination**".

Environmental Assistance Centers (EACs) - Division of Water Pollution Control - Addresses
EAC Offices may be reached by dialing toll-free 1-888-891-TDEC.

EAC Office	Street Address	Zip Code	EAC Office	Street Address	Zip Code
Memphis	2510 Mt. Moriah Road STE E-645	38115-1520	Cookeville	1221 South Willow Ave.	38506
Jackson	362 Carriage House Drive	38305-2222	Chattanooga	540 McCallie Avenue STE 550	37402-2013
Nashville	711 R. S. Gass Boulevard	37243	Knoxville	2700 Middlebrook Pike STE 220	37921
Columbia	2484 Park Plus Drive	38401	Johnson City	2305 Silverdale Road	37601

TENNESSEE



2 YEAR 24 HOUR RAINFALL (INCHES)

Based on Technical Paper No. 40, Weather Bureau

(Environmental Assistance Center boundaries are shown also.)

Department of Environment and Conservation
Division of Water Pollution Control

Construction Storm Water Inspection Report

(This form is required only for discharges into siltation-impaired streams and into high quality waters.)

Construction Site Information

NPDES Permit No. TNR _____ Notice of Coverage (NOC) Date _____ County _____

Name of Project _____

Developer and/or Contractor Name _____

Outfall No. _____ (or station no. or other identifier of drainage area represented)

Month/Year	Week 1	Week 2	Week 3	Week 4	Week 5
	Yes or ***No***/ Initials	***Yes*** or ***No*** / Initials	***Yes*** or ***No*** / Initials	***Yes*** or ***No*** / Initials	***Yes*** or ***No*** / Initials
January, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
February, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
March, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
April, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
May, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
June, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
July, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
August, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
September, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
October, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /

(continued on reverse)

November, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
December, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /

Provide the following information for the person(s) who have performed and initialed the above inspections. If more than two persons have performed these inspections, give information for the two persons who performed the most numbers of inspections.

Initials _____	Name _____ Phone No. (_____)_____
Initials _____	Name _____ Phone No. (_____)_____

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated information presented. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that inspections of storm water discharge points (outfalls) and of erosion and sediment controls have been performed as recorded in the table above. I certify that erosion and sediment controls in the drainage area of the identified outfall were installed as planned and designed and in working order as recorded in the table above. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name _____ Title _____ Signature _____

Company _____ Date _____

Information and Instructions

1. The purpose of this form is to report inspections of storm water discharge points and the condition of erosion and sediment controls (E&S Controls) at the construction site. You are required to complete this form only if discharges from the construction site enter waters listed on the Tennessee 303(d) list for siltation or have been identified as impaired since the last 303(d) list, or enter high quality waters. You can determine whether you are discharging to a listed stream by looking at the Notice of Coverage (NOC) returned to you after you applied for the construction runoff permit. You may also call your local Environmental Assistance Center at the toll-free number of 1-888-891-TDEC.

2. You are required to inspect outfall points (where discharges from the site enter streams or wet weather conveyances) to ascertain whether your erosion control measures are effective in preventing soil from leaving the construction site and entering nearby streams. You are also required to inspect the erosion and sediment control measures being used at the site, whether these controls have been installed according to the storm water pollution prevention plan and whether these controls are in working order. These inspections are required at least once per week.

3. For each month, spaces are given for every week of the month. To record the inspections and observations for a given week, write the date on which the inspections were performed in the box labeled "**Date:**." In the two boxes immediately below the **Date:** box, circle ***Yes*** or ***No*** to indicate if the inspections of outfall points and of the erosion and sediment control measures were performed, and circle ***Yes*** or ***No*** to indicate if erosion and sediment controls were in place and in working order. Sign your initials beside the yes or no answers that you give.

4. The inspection results shall be submitted (postmarked) by the 15th day of the month following the end of the quarter, to the Environmental Assistance Center responsible for the area of the State where the construction project is located. Quarters are January – March, April – June, July – September, and October - December. Continue to use the same form, submitting it with original signatures each quarter, until the end of the year or until the Notice of Termination is filed.

Environmental Assistance Centers (EACs) - Division of Water Pollution Control - Addresses

EAC Office	Street Address	Zip Code	EAC Office	Street Address	Zip Code
Memphis	2510 Mt. Moriah Road STE E-645	38115-1520	Cookeville	1221 South Willow Ave.	38506
Jackson	362 Carriage House Drive	38305-2222	Chattanooga	540 McCallie Avenue STE 550	37402-2013
Nashville	711 R. S. Gass Boulevard	37243	Knoxville	2700 Middlebrook Pike STE 220	37921
Columbia	2484 Park Plus Drive	38401	Johnson City	2305 Silverdale Road	37601

State of Tennessee 1998 303(d) List

You may find the 1998 303(d) list at the following web sites:

http://www.state.tn.us/environment/water.htm (find a downloadable text file);

and

http://www.epa.gov/owow/tmdl/states/tn.html (shows maps of impaired waters).

This appendix contains, by reference, those waters that are impaired in whole or part because of siltation.

Minimum Requirements for Storm Water Pollution Prevention Plan

Applicable to Storm Water Discharges from Construction Activities previously authorized under Tennessee Rule Chapter 1200-4-10-.05, or under the Tennessee Multi-Sector Storm Water General Permit

(1) Construction Site Storm Water Control Plan

(a) The construction activity must be covered by a written, site-specific plan to minimize erosion of soil and the discharge of other pollutants into waters of the State. The developer and contractor(s) must sign the plan, stating that the plan is workable, meets requirements of this rule, and if implemented will meet discharge quality requirements of this rule. The one who signs the plan must meet signatory requirements of part VII.G. this permit. The plan must be kept on site and be made available to the Division of Water Pollution Control inspector on request.

(b) The plan shall contain the following information:

1. A description of the nature of the construction activity, including a proposed timetable for activities;

2. Estimates of the total area of the site and the area of the site that is expected to undergo excavation or grading;

3. An estimate of the increase in impervious area after the construction is completed, and an estimate, along with supporting calculations, of the volume of runoff associated with a one-inch storm;

4. A description of any fill material to be used;

5. A site map indicating, at a minimum, areas of soil disturbance, areas of cut and fill, drainage patterns and approximate slopes anticipated after major grading activities, areas used for the storage of soils or wastes, the locations of outfalls, and of all structural controls and areas where vegetative practices are to be implemented, the locations of impervious structures (including buildings, roads, parking lots, etc.) after construction is completed, and of wetlands and other surface waters; and

6. The name of the receiving waters, or if the discharge is to a municipal separate storm sewer, the name of the municipal operator of the storm sewer and the name of receiving waters into which the storm sewer discharges.

(c) If the plan is reviewed by the Division, the Director or authorized representative may notify the dischargers that the plan does not meet minimum requirements. The dischargers shall have 48 hours, unless additional time is provided by the Director, after such notification to make changes to sediment and erosion controls to prevent the discharge of sediment from the site and 15 days to make necessary changes to the plan.

(d) The plan shall describe construction management techniques and sediment and erosion controls appropriate for the activity and set forth a schedule for implementing each such controls. At a minimum, the conditions in paragraph (6) of this rule must be addressed.

(e) The plan shall describe construction site planning and permanent measures that will minimize the discharge of pollutants via storm water discharges after construction operations have been finished. Examples include open, vegetated swales and natural depressions; structures for storm water retention, detention, or recycle; velocity dissipation devices to be placed at the outfalls of detention or retention structures or along the length of outfall channels.

(f) The discharger(s) shall implement the construction site storm water control plan.

Appendix F

(2) The following conditions apply to all land disturbance work conducted under this rule.

Construction Management Techniques

(a) Clearing and grubbing must be held to the minimum necessary for grading and equipment operation.

(b) Construction must be sequenced to minimize the exposure time of cleared surface area.

(c) Construction must be staged or phased for large projects. Areas of one phase must be stabilized before another phase can be initiated. Stabilization shall be accomplished by temporarily or permanently protecting the disturbed soil surface from rainfall impacts and runoff.

(d) Erosion and sediment control measures must be in place and functional before earth moving operations begin, and must be constructed and maintained throughout the construction period. Temporary measures may be removed at the beginning of the work day, but must be replaced at the end of the work day.

(e) All control measures shall be checked, and repaired as necessary, weekly in dry periods and within 24 hours after any rainfall of 0.5 inches within a 24 hour period. During prolonged rainfall, daily checking and repairing is necessary. The permittee shall maintain records of checks and repairs.

(f) A specific individual shall be designated to be responsible for erosion and sediment controls on each project site.

Vegetative Controls

(g) Pre-construction vegetative ground cover shall not be destroyed, removed or disturbed more than 20 calendar days prior to grading or earth moving.

(h) To the extent feasible, appropriate cover shall be applied within seven days on areas that will remain unfinished for more than 30 calendar days. Examples of cover are grass, sod, straw, mulch, fabric mats, etc..

(i) Permanent soil stabilization with perennial vegetation shall be applied as soon as practicable after final grading.

Structural Controls

(j) All surface water flowing toward the construction area shall be diverted by using berms, channels, or sediment traps, as necessary.

(k) Erosion and sediment control measures shall be designed according to the size and slope of disturbed or drainage areas, to detain runoff and trap sediment.

(l) Discharges from sediment basins and traps must be through a pipe or lined channel so that the discharge does not cause erosion.

(m) Muddy water to be pumped from excavation and work areas must be held in settling basins or treated by filtration prior to its discharge into surface waters. Water must be discharged through a pipe or lined channel so that the discharge does not cause erosion and sedimentation.

Discharge Quality

(n) There shall be no distinctly visible floating scum, oil or other matter contained in the storm water discharge.

(o) The storm water discharge must not cause an objectionable color contrast in the receiving stream.

(p) The storm water discharge must result in no materials in concentrations sufficient to be hazardous or otherwise detrimental to humans, livestock, wildlife, plant life, or fish and aquatic life in the receiving stream.

(3) Reporting and Recordkeeping Requirements

(a) The permittee shall maintain records of checks and repairs on site or at a nearby office.

(b) Records and information resulting from the monitoring activities required by this rule shall be retained for a minimum of three (3) years, or longer if requested by the Division of Water Pollution Control.

(c) Knowingly making any false statement on any report required by this rule may result in the imposition of criminal penalties as provided for in Section 309 of the Federal Water Pollution Control Act and in Section 69-3-115 of the Tennessee Water Quality Control Act.

(end)

APPENDIX B.
EXAMPLE STORM WATER POLLUTION PREVENTION PLAN

STORM WATER POLLUTION PREVENTION PLAN

Prepared for:

Anytown Good Neighbor Development Corporation

PICKLE CREEK PLAZA
PHASE 1

Any County, Tennessee

Prepared by:

ABC, Inc.

April 2001

Table of Contents

General Information

This Storm Water Pollution Prevention Plan (SWPPP) is developed in accordance with the Tennessee General NPDES Permit (TNR100000) for Storm Water Discharges Associated with Construction Activity (TNCGP), and is prepared using sound engineering practices. ABC, Inc. personnel involved with the development of this plan have completed the *Design of Vegetative and Structural Measures for Erosion Prevention and Sediment Control* course available from the State of Tennessee.

As instructed by Part III.F of the TNCGP, this plan and all attachments are hereby submitted to the local Environmental Assistance Center (EAC), along with the complete, correctly signed Notice of Intent (NOI). Construction will not be initiated prior to 30 days from the date of submittal of this document, or prior to receipt of a Notice of Coverage (NOC) from the Tennessee Department of Environment and Conservation (TDEC).

Owner/Developer: Anytown Good Neighbor Development Corporation
459 Some Road, Suite 306
Anytown, TN 37XXX-XXXX
(XXX) XXX-XXXX
contact person: Joe Anybody – Executive Director
email: janybody23@agndc.com

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.		
Representative of owner/developer and title; print or type	Signature (must be signed by president, V.P. or equivalent, or ranking elected official)	Date
Joe Anybody, Executive Director		4/25/01

Primary Contractor: Move Dirt Excavating, Inc.
345 Some Avenue
Anytown, TN 37XXX-XXXX
(XXX) XXX-XXXX
contact person: Larry Goodguy – Owner
email: lg4567@aol.com

I certify under penalty of law that I have reviewed this document and any attachments. Based on my inquiry of the construction site owner/developer identified above, and/or my inquiry of the person directly responsible for assembling this Storm Water Pollution Prevention Plan, I believe the information submitted is accurate. I am aware that this Plan, if approved, makes the above-described construction activity subject to NPDES permit number TNR100000, and that certain of my activities on-site are thereby regulated. I am aware that there are significant penalties, including the possibility of fine and imprisonment for knowing violations, and for failure to comply with these permit requirements.		
Company name of primary contractor; print or type	Signature (must be signed by president, V.P. or equivalent)	Date
Move Dirt Excavating, Inc.		4/25/01

The individual responsible for installation, maintenance, and inspections of erosion and sediment control measures will be Joe Smith of Move Dirt Excavating, Inc. Mr. Smith has completed the *Fundamentals of Erosion Prevention and Sediment Control* course offered by the State of Tennessee. Mr. Smith's mobile telephone number is (123) 456-7890.

Current versions of this SWPPP, the NOI, and the NOC will be kept on the site for the duration of the project. These items will be available for the use of all operators and site personnel involved with erosion and sediment controls, and be available to TDEC personnel visiting the site. A notice will be posted near the construction entrance during Phase 1, and then near both entrances during Phases 2 and 3, containing a copy of the NOC with the tracking number assigned by the EAC, the name and telephone number of a contact person for the development, and a brief description of the project.

Prior to initiating earthwork on the areas described as Phase 2 or 3, ABC, Inc. will provide additional information to TDEC in support of this document. Phase-specific plan drawings will be created at that time.

Any new contractor on the project that has any responsibility to install, inspect, or maintain erosion or sediment control measures will sign the contractor's certification on a copy of the NOI (Appendix A) and will submit it to the local EAC. Any correspondence with TDEC or any EAC will reference the tracking number assigned by TDEC to the project. ABC, Inc. will submit a Notice of Termination (NOT; Appendix B) after the complete installation and successful establishment of the final stabilization activities at the site.

It is the intention and goal of the TNCGP and this SWPPP that any discharge from the property described in this document have no objectionable color contrast to the water body that receives it. The construction activity will be carried out in such a manner as will prevent any discharge that would cause a condition in which visible solids, bottom deposits, or turbidity impairs the usefulness of the waters on the property or downstream of the property for fish and aquatic life, livestock watering and wildlife, recreation, irrigation, navigation, or industrial or domestic water supply.

This plan may be amended for reasons described below, or for other reasons. When the plans are revised, the contractor will implement the changes to erosion protection and sediment controls within 48 hours after the need for modification is identified.

Existing Site Conditions

The property consists of 70 acres of rolling woodland in northeast Any County. The property lies between Nashville Hwy (US 44) and Tennessee Avenue (US 19) and has additional access from Center Street. County soil surveys indicate that the soils present within the construction area of Phase 1 are in the Craven, Uchee, and Emporia series. These series consist of deep, well-drained soils exhibiting moderate erosivity. Typically, the surface layer of this series is dark grayish brown fine sandy loam about 4 inches deep. The subsurface layer is pale brown loam about 5 inches thick. The subsoil is reddish gray and typically extends to a depth of 42 to 67 inches. Detailed soil boundary information can be found on the Drainage/Soil Map (MP-2). Shales with high carbonate content of the Johns Creek formation underlie the area. No acid-producing material should be encountered during the construction. No sinkholes or other injection wells were observed during investigation of the site.

Three wet-weather conveyances are located on Phase 1 of the property and flow eastward into Pickle Creek. At the confluence of two of the conveyances and Pickle Creek there is a wetland of approximately 0.65 acre in size. The wetland is hydrologically connected to the stream. This information was confirmed by a site visit conducted by Mr. Joe Schmoe of the Tennessee Division of Water Pollution Control on 1/1/2001, and outlined in a letter by Mr. Schmoe dated 1/11/2001. Approximately 12 acres of the property lie to the west of the stream. Around 30 acres lie north of another tributary on the east side of Pickle Creek. The remaining 28 acres lie south and east of the streams. The **Pickle Creek Plaza** project covers 60 of the 70 acres. The 10 acres of the property not involved in the project will be developed at a later date into a city park and will protect the streams and wetland with buffers and provide the public with walking paths and recreational and educational opportunities.

Project Description

The project will provide building space for future business tenants. Retail shops and professional offices will be available within the development. XX00 linear feet of new roadway (Pickle Street and Pepper Boulevard) will provide access to the site from US 19 and US 44 and from Center Street. The new roads will be constructed with the intention of becoming City of Anytown public roads, and will be built to meet those requirements. XXXXXX square feet of office space will occur in eight individual two-story wood-framed buildings constructed during Phase 1. XXXXXX square feet of retail space will be available in three single-story structures built in Phases 2 and 3. XXXX parking spaces will be provided per City of Anytown requirements. The parking areas will constitute XXXXXX square feet of total area. *Special Pave* paving system will be used in some areas of Phase 2 and 3 to reduce impervious surface and provide infiltration of precipitation back into the ground. Detention basins will be constructed to serve as temporary sediment retention basins until the site is fully stabilized. The basins will then be modified to serve as storm water detention ponds to satisfy City of Anytown requirements. Utilities will be constructed within the right-of-way of, and at the same time as, the construction of the access roads through the site.

Road crossings of each of the two streams will be constructed during Phase 2 of the project. The construction of Phase 1 of Pickle Street is designed so that it can be extended across Pickle Creek with a clear span bridge during Phase 2. ABC, Inc. will

prepare an application for an Aquatic Resource Alteration Permit (ARAP) for the road crossing prior to the initiation of Phase 2. Due to the availability of utilities from Center Street and from US 19, there should be no need to cross the stream with any utility lines. If it is determined later to be necessary to cross the stream with utility lines, notification will be made to the local EAC by ABC, Inc.

Additional fill material from off of the property or off-site disposal of excess material is not anticipated in the grading plan of Phase 1. Should a need be determined later, it is the responsibility of the contractor to contact ABC, Inc. to revise this SWPPP to include those areas. If the new area is used solely by the project outlined in this plan, the new area is considered to be a part of this project, and the erosion prevention and sediment control at that location will also be the responsibility of the contractor.

303(d) Special Requirements

Discharges from the project enter Pickle Creek, which is 303(d) listed as being impaired by sediment. According to Part III.F. of the TNCGP, this plan and all attachments is being submitted to the local EAC, along with the completed NOI. In addition, inspections will be performed by qualified personnel before anticipated storm events (or series of storm events such as intermittent showers over one or more days), within 24 hours after the end of a storm event of 0.5 inches or greater, and at least once per week. Inspections will cover, at a minimum, all disturbed areas that have not undergone final stabilization, sediment control structures, outfall points, and the stream. The inspections will be conducted with the purpose of determining whether erosion prevention and sediment control measures are effective in preventing impacts to receiving waters. If during these inspections it is discovered that repair or maintenance is required of any temporary or permanent control measure, the action taken to correct the problem will be documented.

If the controls are installed and maintained correctly but are found to provide an inadequate level of protection, ABC, Inc. will make revisions to this plan and these revisions will be implemented by the contractor. The inspector will certify on a weekly basis (on the form found in Appendix C) that the inspection described above has been performed and whether or not all of the erosion and sediment control measures are installed and in working order. The record of certifications on the form will be submitted to the local EAC by the 15th of the month following the end of the quarter. Quarters are January – March, April – June, July – September, and October – December. The inspector will maintain a rain gage and a daily log of readings.

Runoff Calculations

Natural Resource Conservation Service TR-55 method was used to estimate pre- and post-development runoff. The calculations indicate that there will be a net increase in runoff coefficient and in peak discharge as a result of the project. Therefore, the sediment basins will be converted to use as storm water detention basins for post-construction control. Post-development runoff curve number will be 83 and the peak discharge will be 17.6 cfs during the design storm. Worksheets for the TR-55 calculations are found in Appendix E.

Safe Dams Act Information

The sediment basins in use on Phase 1 of this project do not meet the definition of 'dams' as found in Chapter 1200-5-7 of the Rules of the Department of Environment and Conservation, Division of Water Supply, concerning the Safe Dams Act of 1973. Therefore, no certificate is required for the construction of the basins.

Spills and Non-Storm Water Contingencies

All fueling of equipment and vehicles on site will be conducted near the construction entrance/staging area off of Center Street. Any spillage will be removed immediately. Contaminated soils will be placed on heavy plastic and covered or placed into approved containers to prevent contact with storm water. All fuel tanks will be in the containment area. Oils, other vehicle fluids, paints, and solvents will be stored in the construction trailer. Any spill in excess of two gallons will be reported to a representative of Move Dirt Excavating, Inc.

If a release containing a hazardous substance in an amount equal to or in excess of a reporting quantity established under either 40 CFR 117 or 40 CFR 302 occurs during a 24-hour period, the contractor will immediately notify the permittee who shall then do the following: notify the National Response Center (NRC) (800-424-8802) and the Tennessee Emergency Management Agency (TEMA) (emergencies: 800-262-3300; non-emergencies: 800-262-3400); as well as the local Environmental Assistance Center. Also, ABC, Inc. will prepare a revision of this document to identify measures to prevent the reoccurrence of such releases.

Concrete trucks will wash out at the designated area near the construction entrance. Each contractor is responsible to provide litter control for trash generated by his crew. A dumpster for garbage will be located near the construction trailer and is limited to garbage and paper trash only. Paint cans, oil cans, used oil, and filters will be contained and disposed of by the contractor by taking them to the Any County Hazardous Waste Disposal Center on Division Road.

Phasing of Construction

Clearing, grading, and construction on the 60 acres will be accomplished in three phases. Phase 1 consists of 10 acres of disturbance, and includes the construction of the west office buildings, supporting utilities, and parking, along with the installation of Pickle Street to a point just west of Pickle Creek. This SWPPP has been developed and submitted for Phase 1 construction. Phase 2 constitutes the construction of the retail and office complex on the northeastern portion of the property, including all parking areas, utility installation, and road crossings over Pickle Creek and its tributary; and encompasses 28 acres of disturbance. Phase 3 will be the construction of the building complex and associated improvements located on the southeastern part of the project. Phase 3 covers the remaining 22 acres of disturbed area of the project. Phase 1 will be completed and stabilized to the extent possible before the initiation of Phase 2. Phase 2 will be completed, including landscaping, and any remaining bare soils stabilized prior to the initiation of Phase 3.

Sequencing of Phase 1

1. The site plan incorporates a streamside buffer zone to help protect the quality of the riparian area and prevent pollution to the streams. High-visibility safety fencing will be installed as indicated on the Structural Control Plan (MP-3) to indicate the boundary of the buffer zone. Care will be utilized to prevent the operation of equipment within, or otherwise disturbing the buffer zone. The same safety fencing will be used to identify trees to be protected on other parts of the property as well. ABC, Inc. will survey the limits of clearing and mark this boundary with flagging tape.
2. Since the area of Phase 1 drains away from the street, temporary sediment barriers will be installed down slope of this disturbance and moved further down slope as the ground-disturbing activity is extended toward the creek. All erosion prevention and sediment control best management practices identified in this SWPPP will be installed as recommended in the Tennessee Erosion and Sediment Control Handbook.
3. Land-disturbing activity at the project site will begin with the installation of the construction entrance/exit and the staging/equipment storage area off of Center Street. Due to the high traffic use of Center Street, a truck wash will be installed for the use of any vehicles leaving the site. The truck wash will recycle the wash water and will be self-contained so that no water can escape to the street or toward the stream.
4. After the exit has been constructed, work will commence to salvage any valuable timber from the property. The logger is a graduate of the Tennessee Division of Forestry's Master Logger Program and will not cut any trees within the streamside buffer zone.
5. Construction of sediment basins #1 and #2, including slope drains and outfall structures, will be completed and they will be functional prior to any further grade work. The basins incorporate a two stage design to slow down the storm water and drop out larger soil particles. These areas will also allow easy clean out of any built up sediment deposits. Diversion ditches and berms will be constructed as needed to divert any runoff from the active construction areas into the basins.
6. Diversion ditches will be constructed at the north and south margins of the property to divert any storm waters coming from off the site around the future construction area. Topsoil stripped for the footprint of the basins and storage areas will be used to construct the berms.
7. Seeding and mulching or other stabilization measure as identified per the Stabilization Plan (Appendix D) will occur after final grade is achieved at the basins and diversions, and before any further disturbance of the site. Slope drains will be used to convey storm water from the construction areas down slope to the sediment basins.
8. Topsoil in the area of the new road and parking areas will be removed next and stockpiled and immediately seeded per the Stabilization Plan (Appendix D). Construction of the roadbed, parking, primary utilities, sidewalks, shoulders, and permanent storm sewer system will be initiated at this time. The catch basins for the storm sewers will be sealed off from storm water until gravel subgrade or pavement is applied to the road and parking. Clearing and

grubbing will be kept to the minimum necessary to accomplish the grade work of this phase.

9. Work on the road and parking lots will progress until the point some durable surface is applied to these areas and the utilities and shoulders are at final grade and stabilized before disturbance of the building sites is initiated.
10. Storm drain inlet protection will be installed when the permanent system is in place and functioning.
11. Cut and fill activities to prepare the portion of the property for construction of the office buildings will progress at this point. Clearing and grubbing will be kept to the minimum necessary to accomplish the grade work of this phase.
12. It is anticipated that all fill material necessary to achieve proposed grades in the area of Phase 1 can be acquired within the area of Phase 1.
13. Sediment will be removed from sediment traps, silt fences, sedimentation ponds, and other sediment controls before the design capacity of the structure has been reduced by 50%. Litter, construction debris, and construction chemicals exposed to storm water will be picked up prior to anticipated storm events (e.g. forecasted by local weather reports), or otherwise prevented from becoming a pollutant source for storm water discharges (e.g., screening outfalls, daily pick-up, etc.). After use, silt fences will be removed or otherwise prevented from becoming a pollutant source for storm water discharges. Temporary measures may be removed at the beginning of the workday, but will be replaced at the end of the workday.
14. Stabilization will be accomplished as soon as practicable after attainment of final grade and no later than seven days after attaining final grade. Where earth-disturbing activity has temporarily ceased, temporary stabilization will be applied within seven days if the activity will not resume within 15 days. The dates when major grading activities occur, the dates when construction activities temporarily or permanently cease on a portion of the site, and the dates when stabilization measures are initiated will be recorded and maintained on the site. Stabilization methods are outlined in the Stabilization Plan (Appendix D) and may include seed and mulch, or seed and erosion control blankets as identified on the Final Structures Plan (MP-4).
15. Phase 1 will be completed and stabilized to the extent possible before the initiation of Phase 2. At this point, all disturbed area will drain to the sediment basins only. Any unstable areas near the streams that will not drain to the basins will be stabilized before proceeding any further.

Appendix A

Notice of Intent

Department of Environment and Conservation
Division of Water Pollution Control

CONSTRUCTION ACTIVITY – STORM WATER DISCHARGES
NOTICE OF INTENT (NOI)

Name of the construction project (site)	**County/(ies)**	Existing NPDES Permit No. (if site is already permitted)
Pickle Creek Plaza – Phase 1	**Any County**	TNR

Street address (or description of location) and nearest city **Located between Nashville Hwy (US 44) and Tennessee Avenue (US 19) near Center Street in Anytown.** ☒ Map attached (required)	Latitude **37.3375** Longitude **-83.34583**
Construction project (site) description **The construction of retail shops and professional offices along with all supporting parking roadways, utilities, and storm water systems.** Area to be disturbed (acres): **Phase 1 = 10, Phase 2 = 28, Phase 3 = 22, Total = 60**	Start date **June 1, 2001** Estimated end date **August 31, 2003**
Construction site owner/developer: legal name and mailing address, including zip code **Anytown Good Neighbor Development Corporation** **459 Some Road, Suite 306** **Anytown, TN 37XXX-XXXX**	Contact person, phone number and e-mail address **Joe Anybody** **(123) 456-0987** **janybody23@agndc.com**
Name(s) of stream(s), wetland(s), lake(s) or other waters of the state receiving storm water runoff from the construction site **Pickle Creek and tributaries**	
Do there appear to be streams ☒ and/or wetlands ☒ on the construction site?	☒Yes ❑ No
If an Aquatic Resource Alteration Permit (ARAP) has been obtained for this site, provide the permit number.	In application
Has the Storm Water Pollution Prevention Plan (SWPPP) been developed?	☒Yes ❑ No
Note that the NOI will be considered incomplete if you answered "No" to the above question. Submit the NOI when the SWPPP is developed.	

Permit Application Certification and Signature (must be signed by President, Vice-President or equivalent, or ranking elected official)

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Representative of owner/developer; print or type	Signature	Date
Joe Anybody – Executive Director		**4/25/01**

Certification for Contractor(s) (must be signed by President, Vice President or equivalent, or ranking elected official)

I certify under penalty of law that I have reviewed this document, any attachments, and the SWPPP referenced above. Based on my inquiry of the construction site owner/developer identified above, and/or my inquiry of the person directly responsible for assembling this Notice of Intent, I believe the information submitted is accurate. I am aware that this NOI, if approved, makes the above-described construction activity subject to NPDES permit number TNR100000, and that certain of my activities on-site are thereby regulated. I am aware that there are significant penalties, including the possibility of fine and imprisonment for knowing violations, and for failure to comply with these permit requirements.

1. Company name of primary contractor; print or type	Signature by representative of primary contractor	Date
Move Dirt Excavating, Inc.		**4/25/01**
2. Company name of other contractor; print or type	Signature by representative of other contractor	Date
3. Company name of other contractor; print or type	Signature by representative of other contractor	Date

OFFICIAL STATE USE ONLY

Received Date	EAC	Permit Number	Reviewer	Notice of Coverage Date
		TNR		
303d Receiving Stream	High Quality Water	Threatened and Endangered Aquatic Fauna		

CN-0940 (rev. 9-00) RDAs 2399 and 2400

CONSTRUCTION ACTIVITY – STORM WATER DISCHARGES
NOTICE OF INTENT (NOI) - INSTRUCTIONS

Purpose of this form. A completed Notice of Intent (NOI) must be submitted to obtain coverage under the Tennessee General NPDES Permit for discharges of storm water associated with construction activity. This permit is required for storm water discharge(s) from construction sites that involve grubbing, clearing, grading or excavation of five or more acres of land. This form should be submitted at least 30 days prior to the start date of any land disturbing activities such as grubbing, clearing, grading or excavation.

Notice of Coverage. The Division will process your application and return to you a Notice of Coverage (NOC). Runoff from the construction site will not be permitted until the Division has prepared this NOC.

Completing the form. Type or print clearly, using ink and not markers or pencil. Answer each item or enter "NA," for not applicable, if a particular item does not fit the circumstances or characteristics of your construction site or activity. If you need additional space, attach a separate piece of paper to the NOI form.

Who must submit the NOI form? The NOI form must be signed by the "operator(s)" of the construction site. Operators will most likely include the developer of the site, and the primary contractor(s). "Operator" means any party associated with the construction project that meets either of the following two criteria: (1) the party has operational control over project specifications (including the ability to make modifications in specifications); or (2) the party has day-to-day operational control of those activities at a project site which are necessary to ensure compliance with the storm water pollution prevention plan or other permit conditions (e.g., they are authorized to direct workers at the site to carry out activities identified in the storm water pollution prevention plan or comply with other permit conditions). If a contractor has not been identified at the time the NOI is submitted by the developer, the contractor(s) must submit a separate NOI in order to obtain authorization under this permit. The contractor must include the NPDES permit number that is already assigned to the site, along with the name of the construction project and its location.

Describe and locate the project. Use the legal or official name of the construction site. If a construction site lacks street name or route number, give the most accurate geographic information available to describe the location (reference to adjacent highways, roads and structures; e.g. intersection of state highways 70 and 100). Latitude and longitude of the center of the site can be located on USGS quadrangle maps. The quadrangle maps can be obtained at 1-800-USA-MAPS, or at the Census Bureau Internet site: http://www.census.gov/cgi-bin/gazetteer. Attach a copy of a portion of a 7.5 minute quad map, showing location of site, with boundaries at least one mile outside the site boundaries. Provide estimated starting date of clearing activities and completion date of the project, and an estimate of the number of acres of the site on which soil will be disturbed, including borrow areas, fill areas and stockpiles.

Give name of the receiving stream. Trace the route of storm water runoff from the construction site and determine the name of the river(s), stream(s), creek(s), wetland(s), lake(s) or any other water course(s) into which the storm water runoff drains. Note that the receiving water course may or may not be located on the construction site. If the first water body receiving construction site runoff is unnamed ("unnamed tributary"), determine the name of the water body which the unnamed tributary enters.

ARAP permit may be required. If your work will disturb or cause alterations of a stream or wetland, you must obtain an appropriate Aquatic Resource Alteration Permit (ARAP). If you have a question about the ARAP program or permits, contact your local Environmental Assistance Center.

You must prepare a Storm Water Pollution Prevention Plan (SWPPP) prior to submitting the NOI.

Submitting the form and obtaining more information. Note that this form must be signed by the company President, Vice-President, or a ranking elected official in the case of a municipality. For more information, contact your local Environmental Assistance Center at the toll-free number 1-888-891-8332 (TDEC). Submit the completed NOI form to the appropriate EAC below (call the toll-free number to determine), addressed with **Attention: Storm Water NOI Processing**.

Environmental Assistance Centers(EACs) - Division of Water Pollution Control - Addresses

EAC Office	Street Address	Zip Code	EAC Office	Street Address	Zip Code
Memphis	2510 Mt. Moriah Road STE E-645	38115-1520	Cookeville	1221 South Willow Ave.	38506
Jackson	362 Carriage House Drive	38305-2222	Chattanooga	540 McCallie Avenue STE 550	37402-2013
Nashville	711 R S Gass Boulevard	37206	Knoxville	2700 Middlebrook Pike STE 220	37921
Columbia	2484 Park Plus Drive	38401	Johnson City	2305 Silverdale Road	37601

Appendix B

Notice of Termination

To be completed and submitted to the local EAC when all construction and stabilization activities have been completed and stabilization measures are effective, or if an operator's responsibilities at this site have ended.

Department of Environment and Conservation
Division of Water Pollution Control

NOTICE OF TERMINATION (NOT) – STORM WATER DISCHARGES CONSTRUCTION ACTIVITY

The purpose of this form is to notify the Tennessee Department of Environment and Conservation that you, as a permitted operator of storm water discharges from a construction activity, no longer have responsibilities related to erosion and sediment controls at the construction site. Type or print clearly, using ink and not markers or pencil.

NPDES Permit Number TNR __ __ __ __ __ __ (Include the NPDES permit number for the site.)

Name of the construction project (site)

Pickle Creek Plaza – Phase 1

Street address (or description of location)

Located between Nashville Hwy (US 44) and Tennessee Avenue (US 19) near Center Street in Anytown.

Legal name of the construction site operator

Anytown Good Neighbor Development Corporation

Mailing address	Telephone number and/or e-mail address
459 Some Road, Suite 306 **Anytown, TN 37XXX-XXXX**	**(123) 456-0987** **Janybody23@agndc.com**

Have the storm water discharges associated with construction activity been eliminated? ❑ Yes ❑ No

If YES, provide the date at which the construction site was finally stabilized.

Construction activities at the site continue, but my responsibilities with respect to the construction activities have ceased. ❑ Yes ❑ No

If YES, provide the name, mailing address and telephone number of any new operators (for instance, an operator who has taken over your responsibilities) involved with soil disturbance at the construction site.

Certification and Signature (must be signed by President, Vice President or equivalent, or ranking elected official)

I certify under penalty of law that either: (a) all storm water discharges associated with construction activity from the portion of the identified facility where I was an operator have ceased or have been eliminated or (b) I am no longer an operator at the construction site. I understand that by submitting this notice of termination, I am no longer authorized to discharge storm water associated with construction activity under this general permit, and that discharging pollutants in storm water associated with construction activity to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by a NPDES permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit or the Clean Water Act.

For the purposes of this certification, elimination of storm water discharges associated with construction activity means that all disturbed soils at the portion of the construction site where the operator had control have been finally stabilized and temporary erosion and sediment control measures have been removed or will be removed at an appropriate time to insure final stabilization is maintained, or that all storm water discharges associated with construction activities from the identified site that are authorized by a NPDES general permit have otherwise been eliminated from the portion of the construction site where the operator had control.

Printed name (construction site operator)	Signature	Date

Permittees who are presently covered under the Tennessee General NPDES Permit to Discharge Storm Water Associated with Construction Activity must submit a Notice of Termination after completion of their construction activities and final stabilization of their portion of the site, or within 30 days after another operator has taken over all of their responsibilities at the site. A permittee cannot submit a NOT without final stabilization unless another party has agreed to assume responsibility for final stabilization of the site. A completed NOT form should be submitted to the local Division of Water Pollution Control Office address (see table below), and marked "**Storm Water Notice of Termination.**"

Environmental Assistance Centers (EACs) - Division of Water Pollution Control - Addresses
EAC Offices may be reached by dialing toll-free 1-888-891-TDEC.

EAC Office	Street Address	Zip Code	EAC Office	Street Address	Zip Code
Memphis	2510 Mt. Moriah Road STE E-645	38115-1520	Cookeville	1221 South Willow Ave.	38506
Jackson	362 Carriage House Drive	38305-2222	Chattanooga	540 McCallie Avenue STE 550	37402-2013
Nashville	537 Brick Church Park Drive	37243-1550	Knoxville	2700 Middlebrook Pike STE 220	37921
Columbia	2484 Park Plus Drive	38401	Johnson City	2305 Silverdale Road	37601

Appendix C

Inspection Report

To be submitted to the local EAC every quarter.

Department of Environment and Conservation
Division of Water Pollution Control

Construction Storm Water Inspection Report

(This form is required only for discharges into siltation-impaired streams and into high quality waters.)

Construction Site Information

NPDES Permit No. TNR _____ Notice of Coverage (NOC) Date _____ County _____

Name of Project **PICKLE CREEK PLAZA – PHASE 1**

Developer and/or Contractor Name **ANYTOWN GOOD NEIGHBOR DEVELOPMENT CORPORATION**

Outfall No. _____ (or station no. or other identifier of drainage area represented)

Month/Year	Week 1	Week 2	Week 3	Week 4	Week 5
	Yes or ***No***/ Initials	***Yes*** or ***No*** / Initials	***Yes*** or ***No*** / Initials	***Yes*** or ***No*** / Initials	***Yes*** or ***No*** / Initials
January, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
February, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
March, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
April, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
May, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
June, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
July, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
August, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
September, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
October, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /

CN-1173 RDAs 2399 and 2400

(continued on reverse)

November, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
December, _____	Date:	Date:	Date:	Date:	Date:
Inspections Performed	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /
E&S Controls in Order	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /	***Yes*** or ***No*** /

Provide the following information for the person(s) who have performed and initialed the above inspections. If more than two persons have performed these inspections, give information for the two persons who performed the most numbers of inspections.

Initials _____	Name _____ Phone No. (_____)_____
Initials _____	Name _____ Phone No. (_____)_____

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated information presented. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that inspections of storm water discharge points (outfalls) and of erosion and sediment controls have been performed as recorded in the table above. I certify that erosion and sediment controls in the drainage area of the identified outfall were installed as planned and designed and in working order as recorded in the table above. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name _____ Title _____ Signature _____

Company _____ Date _____

Information and Instructions

1. The purpose of this form is to report inspections of storm water discharge points and the condition of erosion and sediment controls (E&S Controls) at the construction site. You are required to complete this form only if discharges from the construction site enter waters listed on the Tennessee 303(d) list for siltation or have been identified as impaired since the last 303(d) list, or enter high quality waters. You can determine whether you are discharging to a listed stream by looking at the Notice of Coverage (NOC) returned to you after you applied for the construction runoff permit. You may also call your local Environmental Assistance Center at the toll-free number of 1-888-891-TDEC.

2. You are required to inspect outfall points (where discharges from the site enter streams or wet weather conveyances) to ascertain whether your erosion control measures are effective in preventing soil from leaving the construction site and entering nearby streams. You are also required to inspect the erosion and sediment control measures being used at the site, whether these controls have been installed according to the storm water pollution prevention plan and whether these controls are in working order. These inspections are required at least once per week.

3. For each month, space is given for each week of the month, with three boxes for each week. To record the inspections and observations for a week, write the date on which the inspections were performed in the box labeled "**Date:**." In the boxes below it, circle ***Yes*** or ***No*** to indicate if the inspections, both of outfall points and of the erosion and sediment control measures, were performed, and circle ***Yes*** or ***No*** to indicate if erosion and sediment controls were in place and in working order. Sign your initials beside the yes or no answers that you give.

4. The inspection results shall be submitted (postmarked) by the 15th day of the month following the end of the quarter, to the Environmental Assistance Center responsible for the area of the State where the construction project is located. Quarters are January – March, April – June, July – September, and October - December. Continue to use the same form, submitting it with original signatures each quarter, until the end of the year or until the Notice of Termination is filed.

Environmental Assistance Centers (EACs) - Division of Water Pollution Control - Addresses

EAC Office	Street Address	Zip Code	EAC Office	Street Address	Zip Code
Memphis	2510 Mt. Moriah Road STE E-645	38115-1520	Cookeville	1221 South Willow Ave.	38506
Jackson	362 Carriage House Drive	38305-2222	Chattanooga	540 McCallie Avenue STE 550	37402-2013
Nashville	711 R S Gass Boulevard	37206	Knoxville	2700 Middlebrook Pike STE 220	37921
Columbia	2484 Park Plus Drive	38401	Johnson City	2305 Silverdale Road	37601

Appendix D

Stabilization Plan

PERMANENT SEEDING MIXTURES

Seeding Dates	Grass Seed	Percentages
February 1 to July 1	Kentucky 31 Fescue	80%
	Korean Lespedeza	15%
	English Rye	5%
June 1 to August 15	Kentucky 31 Fescue	55%
	English Rye	20%
	Korean Lespedeza	15%
	German Millet	10%
April 15 to August 15	Bermudagrass (hulled)	70%
	Annual Lespedeza	30%
August 1 to December 1	Kentucky 31 Fescue	70%
	English Rye	20%
	White Clover	10%
February 1 to December 1	Kentucky 31 Fescue	70%
	Crown Vetch	25%
	English Rye	5%

TEMPORARY SEEDING MIXTURES

Seeding Dates	Grass Seed	Percentages
January 1 to May 1	Italian Rye	33%
	Korean Lespedeza	33%
	Summer Oats	34%
May 1 to July 15	Sudan - Sorghum	100%
May 1 to July 15	Starr Millet	100%
July 15 to January 1	Balboa Rye	67%
	Italian Rye	33%

Appendix E

TR – 55 Worksheets

Worksheet 2: Runoff curve number and runoff

Project	By	Date
PICKLE CREEK PLAZA - Phase I	JCP	03/01
Location	**Checked**	**Date**
HWY 44 @ CENTER ST		

Check one: ☑ Present ☐ Developed

1. Runoff curve number

Soil name and hydrologic group (appendix A)	Cover description (cover type, treatment, and hydrologic condition; percent impervious; unconnected/connected impervious area ratio)	CN [1/] Table 2-2	CN [1/] Figure 2-3	CN [1/] Figure 2-4	Area ☑ acres ☐ mi^2 ☐ %	Product of CN x area
CRAVEN and EMPORIA (C)	WOODED - GOOD	70			8.27	578.9
UCHEE (A)	WOODED - GOOD	30			1.46	43.80
	Totals ➡				9.73	622.7

[1/] Use only one CN source per line

CN (weighted) = $\frac{\text{total product}}{\text{total area}} = \frac{622.7}{9.73} = 63.99$; **Use CN** ➡ 64

2. Runoff

		Storm #1	Storm #2	Storm #3
Frequency	yr	2	25	
Rainfall, P (24-hour)	in	3.36	6.5	
Runoff, Q	in	0.65	2.62	

(Use P and CN with table 2-1, figure 2-1, or equations 2-3 and 2-4)

Worksheet 3: Time of Concentration (T_c) or travel time (T_t)

Project	By	Date
PICKLE CREEK PLAZA - Phase I	JCP	03/01
Location	**Checked**	**Date**
HWY 44 @ CENTER ST		

Check one: ☑ Present ☐ Developed

Check one: ☑ T_c ☐ T_t through subarea

Notes: Space for as many as two segments per flow type can be used for each worksheet.
Include a map, schematic, or description of flow segments.

Sheet flow (Applicable to Tc only)

	Segment ID	AB	
1.	Surface description (table 3-1)	DENSE WOODS	
2.	Manning's roughness coefficient, n (table 3-1)	0.80	
3.	Flow length, L (total L † 300 ft) ft	185	
4.	Two-year 24-hour rainfall, P_2 in	3.36	
5.	Land slope, s ft/ft	0.16	
6.	$T_t = \frac{0.007\ (nL)^{0.8}}{P_2^{0.5}\ s^{0.4}}$ Compute T_t hr	0.43	+ = 0.43

Shallow concentrated flow

	Segment ID	BC	
7.	Surface description (paved or unpaved)	UNPAVED	
8.	Flow length, L ft	215	
9.	Watercourse slope, s ft/ft	0.14	
10.	Average velocity, V (figure 3-1) ft/s	6.0	
11.	$T_t = \frac{L}{3600\ V}$ Compute T_t hr	0.01	+ = 0.01

Channel flow

	Segment ID	CE	
12.	Cross sectional flow area, a ft^2	1.5	
13.	Wetted perimeter, p_w ft	3.6	
14.	Hydraulic radius, $r = \frac{a}{p_w}$ Compute r ft	0.42	
15	Channel slope, s ft/ft	0.0324	
16.	Manning's roughness coefficient, n	0.033	
17.	$V = \frac{1.49\ r^{2/3}\ s^{1/2}}{n}$ Compute V ft/s	4.55	
18.	~~Flow~~ length, L ft	340	
19.	$T_t = \frac{L}{3600\ V}$ Compute T_t hr	0.02	+ = 0.02
20.	Watershed or subarea T_c or T_t (add T_t in steps 6, 11, and 19) Hr		0.46

Worksheet 4: Graphical Peak Discharge method

Project	By	Date
PICKLE CREEK PLAZA - Phase I	JCP	03/01
Location	**Checked**	**Date**
HWY 44 @ CENTER ST		

Check one: ☑ Present ☐ Developed

1. Data

Drainage area ..... A_m = 0.015 mi^2 (acres/640)

Runoff curve number .....CN = 64 (From worksheet 2)

Time of concentration ..... T_c = 0.46 hr (From worksheet 3)

Rainfall distribution ..... = II (I, IA, II III)

Pond and swamp areas sprea
throughout watershed ..... = _____ percent of A_m (_____ acres or mi^2 covered)

	Storm #1	Storm #2	Storm #3
2. Frequency ..... yr	2		
3. Rainfall, P (24-hour) ..... in	3.36		
4. Initial abstraction, I_a ..... in (Use CN with table 4-1)	1.125		
5. Compute I_a / P	0.334		
6. Unit peak discharge, q_u ..... csm/in (Use T_c and I_a / P with exhibit 4– _____)	440		
7. Runoff, Q ..... in (From worksheet 2) Figure 2-6	0.65		
8. Pond and swamp adjustment factor, F_p ..... (Use percent pond and swamp area with table 4-2. Factor is 1.0 for zero percent pond ans swamp area.)			
9. Peak discharge, q_p ..... ft^3/s	4.3		

(Where $q_p = q_u A_m Q F_p$)

Worksheet 2: Runoff curve number and runoff

Project	By	Date
PICKLE CREEK PLAZA - Phase I	JCP	03/01
Location	**Checked**	**Date**
HWY 44 @ CENTER ST		

Check one: ☐ Present ☑ Developed

1. Runoff curve number

Soil name and hydrologic group (appendix A)	Cover description (cover type, treatment, and hydrologic condition; percent impervious; unconnected/connected impervious area ratio)	CN [1/] Table 2-2	CN [1/] Figure 2-3	CN [1/] Figure 2-4	Area ☑ acres ☐ mi^2 ☐ %	Product of CN x area
C	OPEN SPACE	74			2.83	209.42
C	WOODS	70			3.30	231.0
	IMPERVIOUS	98			4.7	460.60
[1/] Use only one CN source per line				**Totals** ➡	10.83	901.02

CN (weighted) = $\frac{\text{total product}}{\text{total area}} = \frac{901.02}{10.83} = 83.19$; **Use CN** ➡ 83

2. Runoff

		Storm #1	Storm #2	Storm #3
Frequency	yr	2	25	100
Rainfall, P (24-hour)	in	3.36	6.5	8.2
Runoff, Q	in	1.74	4.55	6.17

(Use P and CN with table 2-1, figure 2-1, or equations 2-3 and 2-4)

Worksheet 3: Time of Concentration (T_c) or travel time (T_t)

Project	By	Date
PICKLE CREEK PLAZA - Phase I	JCP	03/01
Location	**Checked**	**Date**
HWY 44 @ CENTER ST		

Check one: ☐ Present ☑ Developed

Check one: ☑ T_c ☐ T_t through subarea

Notes: Space for as many as two segments per flow type can be used for each worksheet.
Include a map, schematic, or description of flow segments.

Sheet flow (Applicable to Tc only)

	Segment ID	AB	
1.	Surface description (table 3-1)	DENSE GRASS	
2.	Manning's roughness coefficient, n (table 3-1)	0.24	
3.	Flow length, L (total L † 300 ft) ft	100	
4.	Two-year 24-hour rainfall, P_2 in	3.36	
5.	Land slope, s ft/ft	0.01	

6. $T_t = \frac{0.007\ (nL)^{0.8}}{P_2^{0.5}\ s^{0.4}}$ Compute T_t ..... hr — 0.30 + ____ = 0.30

Shallow concentrated flow

	Segment ID	BC	
7.	Surface description (paved or unpaved)	PAVED	
8.	Flow length, L ft	200	
9.	Watercourse slope, s ft/ft	0.02	
10.	Average velocity, V (figure 3-1) ft/s	2.95	

11. $T_t = \frac{L}{3600\ V}$ Compute T_t ..... hr — 0.02 + ____ = 0.02

Channel flow

	Segment ID	CD	DE
12.	Cross sectional flow area, a ft^2		1.5
13.	Wetted perimeter, p_w ft		3.6
14.	Hydraulic radius, $r = \frac{a}{p_w}$ Compute r ft		0.42
15	Channel slope, s ft/ft		0.0324
16.	Manning's roughness coefficient, n	0.013	0.033
17.	$V = \frac{1.49\ r^{2/3}\ s^{1/2}}{n}$ Compute V ft/s	Av. 5.1	4.55
18.	~~Flow~~ length, L ft	640	200

19. $T_t = \frac{L}{3600\ V}$ Compute T_t ..... hr — 0.03 + 0.01 = 0.04

20. Watershed or subarea T_c or T_t (add T_t in steps 6, 11, and 19) ..... Hr 0.36

Worksheet 4: Graphical Peak Discharge method

Project	By	Date
PICKLE CREEK PLAZA - Phase I	JCP	03/01
Location	**Checked**	**Date**
HWY 44 @ CENTER ST		

Check one: ☐ Present ☑ Developed

1. Data

Drainage area ..... A_m = 0.0169 mi^2 (acres/640)

Runoff curve number .....CN = 83 (From worksheet 2)

Time of concentration ..... T_c = 0.36 hr (From worksheet 3)

Rainfall distribution ..... = II (I, IA, II III)

Pond and swamp areas sprea
throughout watershed ..... = _____ percent of A_m (_____ acres or mi^2 covered)

	Storm #1	Storm #2	Storm #3
2. Frequency ..... yr	2	25	100
3. Rainfall, P (24-hour) ..... in	3.36	6.5	8.2
4. Initial abstraction, I_a ..... in (Use CN with table 4-1)	0.410	0.410	0.410
5. Compute I_a/P	0.122	0.063	0.05
6. Unit peak discharge, q_u ..... csm/in (Use T_c and I_a/P with exhibit 4– _____)	600	625	625
7. Runoff, Q ..... in (From worksheet 2) Figure 2-6	1.74	4.55	6.17
8. Pond and swamp adjustment factor, F_p ..... (Use percent pond and swamp area with table 4-2. Factor is 1.0 for zero percent pond ans swamp area.)			
9. Peak discharge, q_p ..... ft^3/s	17.6	48.1	65.2

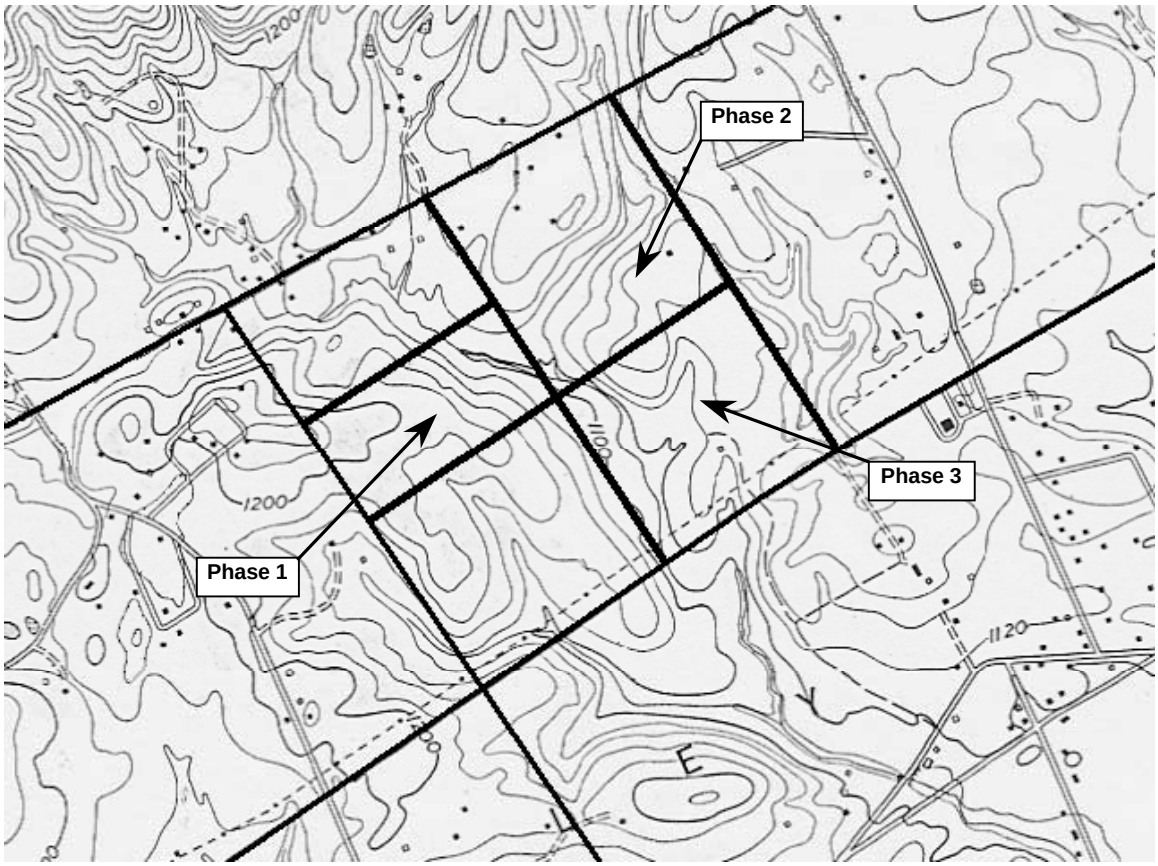
(Where $q_p = q_u A_m Q F_p$)

SITE LOCATION MAP

PICKLE CREEK PLAZA – PHASE 1

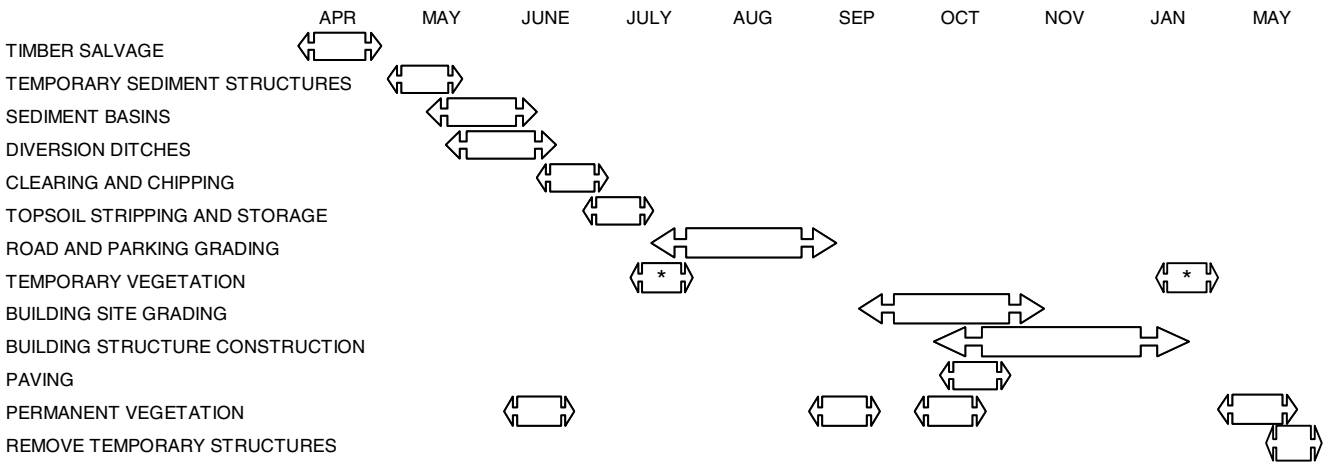
ANYTOWN GOOD NEIGHBOR DEVELOPMENT CORPORATION

Any County, Tennessee
Perry Springs 7.5' USGS Quadrangle
Latitude: 37.3375 Longitude: -83.34583



SCALE 1:24,000

CONSTRUCTION SCHEDULE



ABC, INC.

EXISTING ASPHALT PARKING

ASSUMED BENCHMARK NAIL IN POLE=100.00

EXISTING TWO STORY BLDG.

CENTER STREET

HEAVILY WOODED

HEAVILY WOODED

HEAVILY WOODED

EXISTING ONE STORY BLDG.

EXISTING GRAVEL PARKING

15F

11C

10B

SOILS
10B-CRAVEN
11C-UCHEE
15F-EMPORIA

SOIL BOUNDARY
SAFETY FENCE
SILT FENCE

PICKLE CREEK

PROPERTY BOUNDARY

NORTH

SITE PLAN

0 40 80 120
FEET

PICKLE CREEK PLAZA

DRAINAGE/SOIL MAP

MP-2

ABC, INC.

EXISTING ASPHALT PARKING

EXISTING TWO STORY BLDG.

ASSUMED BENCHMARK
NAIL IN POLE=100.00

CENTER STREET
R.O.W.

PROPERTY BOUNDARY

LIMIT OF CLEARING

LIMIT OF CLEARING

LIMIT OF CLEARING

EXISTING ONE STORY BLDG.

EXISTING GRAVEL PARKING

PICKLE CREEK

PROPERTY BOUNDARY

CE CONSTRUCTION EXIT
DI DIVERSION
OP OUTLET PROTECTION
SF SILT FENCE
SD SLOPE DRAIN
SB SEDIMENT BASIN
PS PERMANENT SEEDING W/ MULCH
IP INLET PROTECTION
CRS CONSTRUCTION ROAD STABILIZATION
CD CHECK DAM
ST SEDIMENT TRAP
MA EROSION CONTROL BLANKET W/ SEED

EXISTING GRADE
95 WORKING GRADE
LIMIT OF CLEARING
SAFETY FENCE

NORTH

SITE PLAN

0 40 80 120
FEET

PICKLE CREEK PLAZA

STRUCTURAL CONTROL PLAN

MP-3

ABC, INC.

EXISTING ASPHALT PARKING

ASSUMED BENCHMARK
NAIL IN POLE=100.00

EXISTING TWO STORY BLDG.

PROPERTY BOUNDARY

CENTER STREET

R.O.W.

EXISTING ONE STORY BLDG.

EXISTING GRAVEL PARKING

PICKLE CREEK

PROPERTY BOUNDARY

NORTH

SITE PLAN

0 40 80 120
FEET

EXISTING GRADE
95 FINISHED GRADE
TREE LINE
STORM SEWER
PS PERMANENT SEEDING W/ MULCH
IP INLET PROTECTION

PICKLE CREEK PLAZA

FINAL STRUCTURES PLAN

MP-4

APPENDIX C.
AQUATIC RESOURCE ALTERATION PERMIT

RULES
OF
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
WATER QUALITY CONTROL BOARD
DIVISION OF WATER POLLUTION CONTROL

CHAPTER 1200-4-7
AQUATIC RESOURCE ALTERATION

TABLE OF CONTENTS

1200-4-7-.01 GENERAL

(1) These rules are promulgated in order to prevent the future pollution of state waters and to plan for the future use of such waters so that the water resources of Tennessee might be used and enjoyed to the fullest extent consistent with the maintenance of unpolluted waters, T.C.A. §69-3-102(b). Persons who wish to conduct an activity that may impact a water of the state shall consider avoidance and minimization of such impacts. If impacts to the waters will occur, mitigation as set forth in part (7) of these rules must be proposed to offset any lost resource value.

(2) The Federal Water Pollution Control Act or Clean Water Act, §401 (33 U.S.C. §1341), provides that an applicant for a federal license or permit for a discharge into the waters of the United States must provide the federal licensing or permitting agency a certification from the State in which the discharge originates or will originate, and that any such discharge will comply with the applicable provisions of §§301, 302, 303, 306 and 307 of that Act.

(3) Additionally, the Tennessee Water Quality Control Act of 1977, T.C.A. §69-3-108(b)(1), provides that it is unlawful for any person, except in accordance with the conditions of a valid permit, to carry out any activity which may result in the alteration of the physical, chemical, radiological, biological, or bacteriological properties of any waters of the State, including wetlands. These activities include, but are not limited to: the discharge of dredge or fill material, dredging, stream channel modifications, water withdrawals, wetlands alterations including drainage, and other construction activities which result in the alteration of the waters of the State. State permits for these activities are either §401 Water Quality Certifications or Aquatic Resource Alteration Permits.

(4) This regulation prescribes procedures peculiar to these permits, in addition to the general requirements and procedures of Chapter 1200-4-1 of the Rules of the Water Quality Control Board and the Department of Environment and Conservation, and the Tennessee Water Quality Control Act of 1977. This regulation only applies to activities which do not require a National Pollutant Discharge Elimination System (NPDES) permit or which do not result from the operation of a treatment system.

***Authority**: T.C.A. §69-3-105(b) and 69-3-108.* ***Administrative History**: Original rule filed February 26, 1987; effective April 12, 1987. Amendment filed October 8, 1991; effective November 22, 1991. Amendment filed August 25, 2000; effective November 8, 2000.*

1200-4-7-.02 EXEMPTIONS

(1) Management activities such as timber harvesting and beaver control, which do not alter or adversely affect the classified uses of waters of the state, are not subject to these requirements.

(2) Agriculture and forestry activities and activities necessary to the conduct thereof and lands devoted to the production of agricultural or forestry products are exempt from the requirements of the Act and these rules,

unless there is a point source discharge, as provided in T.C.A. §69-3-120(g). Thus, normal farming, forestry and livestock management activities such as plowing, seeding, cultivating, minor drainage, water withdrawal for irrigation, and harvesting for the production of food, fiber, and forest products are exempt if they are part of an established (i.e., on-going) farming, forestry, or livestock management operation, unless there is a point source discharge.

(3) The Department of Agriculture provides guidance for development of best management practices (BMP's) for agriculture and forestry. One of the primary goals of these BMP's is the prevention of soil erosion and discharge of silt and sedimentation to streams. These BMP's should be followed. If silvicultural activities fail to use BMP's and a point source discharge results in water pollution, the Commissioner is authorized to issue a stop work order under P.Ch. 680 of the Acts of 2000.

(4) Existing water withdrawals on July 25, 2000, which do not adversely alter or effect the classified use of the source stream, are not subject to these requirements.

Authority: *T.C.A. §69-3-105(b) and §69-3-108.* ***Administrative History:*** *Original rule filed February 26, 1987; effective April 12, 1987. Amendment filed October 8, 1991; effective November 22, 1991. Amendment filed August 25, 2000; effective November 8, 2000.*

1200-4-7-.03 DEFINITIONS

As used in this rule chapter and in any ARAP permit issued, including General Permits, the following terms have these meanings:

(1) "Act" means The Tennessee Water Quality Control Act of 1977, as amended, T.C.A. §69-3-101 et seq.

(2) "Activity " means any and all work or acts associated with the performance, or carrying out of a project or a plan, or construction of a structure.

(3) "Adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the State by man-made dikes or barriers, natural river berms and the like are "adjacent wetlands".

(4) "Aquatic Resource Alteration Permit" means a permit pursuant to §69-3-108 of the Tennessee Water Quality Control Act of 1977, which authorizes the alteration of properties of waters of the State which result from activities other than discharges of wastewater through a pipe, ditch or other conveyance. Such a permit shall impose conditions, including standards and terms of periodic review, as are necessary to accomplish the purposes of the Act.

(5) "Background Conditions" means the biological (plant and animal species), chemical and physical conditions of the wetland or water body prior to the proposed activity. If the water body is disturbed, it may be necessary to use the biological, chemical and physical conditions of a similar water body as a reference condition.

(6) "Best Management Practices" means a schedule of activities, prohibition of practices, maintenance procedures and other management practices to prevent or reduce the pollution of waters of the State. BMP's include methods, measures, practices, and design and performance standards.

(7) "Certification" means an Aquatic Resource Alteration Permit under the Tennessee Water Quality Control Act of 1977, as required by §401 of the Federal Water Pollution Control Act, which certifies, either unconditionally or through imposition of terms under which the activity must be carried out, that the activity will comply with applicable provisions of §§301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act and Chapter 1200-4-1 of the Rules of the Water Quality Control Board and the Department of Environment and Conservation and the Act.

(8) "Channelization" means the alteration of stream channels including but not limited to straightening, widening, or enlarging.

(9) “Cofferdam” means an enclosure from which water can be pumped to expose the bottom of a body of water or a barrier constructed to divert the flow of water to allow construction work.

(10) “Commence Construction” means the physical initiation of on-site structural or earthmoving work.

(11) “Constructed Wetland” means intentionally designed, built and operated on previously nonwetland sites for the primary purpose of wastewater treatment or storm water retention; such wetlands are not created to provide mitigation for adverse impacts or other wetlands.

(12) “Clearing and Grubbing” means the removal of vegetation by cutting and digging up roots and stumps.

(13) "Cumulative Impacts" means the impact on the environment, which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions. A cumulative impact to a wetland can be the loss of the variety of the natural wetland types, wetland acreage, functions and classified uses.

(14) “Debris” means woody materials, trash, flotsam, dislodged vegetation, and other potentially mobile materials, which may, when located within a stream channel, contribute to flow blockage. This does not include gravel, sand, soil or its constituents such as silt, clay or other sediments.

(15) “Ditch” means a man-made excavation for the purpose of conveying water. Ditches do not include streams, modified streams or canals.

(16) "Dredging" (sand and gravel dredging) means the removal of sand, gravel and similar sediments or deposits from a stream, river, or lake bed or wetland by any method.

(17) “Earthmoving” means any construction or other activity which disturbs the surface of the land including, but not limited to, excavation, embankment, fill, and cut of soil, rock, or earth.

(18) "Emergency" means a situation where life or substantive improvements to real property is in immediate danger.

(19) “Erosion” means the process by which the land surface is worn away by the action of water, wind, gravity, chemicals, or a combination thereof.

(20) “Excavation” (a) means a cavity formed by digging, quarrying, uncovering, displacing, or relocating soil or rock; or, (b) means to dig or remove soil, rocks, or other materials resulting in a change in all or part of the elevation of a site.

(21) "General Permit" means a permit issued under the Act and this Rule authorizing an alteration to state waters within the state for a specified category of activities that are substantially similar in nature.

(22) “Hydrogeomorphic System” means a classification system for wetlands based on geomorphic setting, water source, and hydrodynamics; used to identify and group functionally similar wetlands.

(23) "Individual Permit” means a permit issued by the Division of Water Pollution Control to a specified person to conduct specified activities at a specified location. This type of permit does not authorize an activity by a class of persons or the public in general.

(24) “In the Dry” means in such a manner that no equipment or dredged material is in contact with the stream or wetland and that the soil water boundary is not disturbed by equipment or that no infiltration is pumped to the stream from the dredge site.

(Rule 1200-4-7-.03, continued)

(25) "Minimal Impacts" means an activity for which the scope is very limited in area, the impact is very short in duration, and has no impact to waters just downstream of the location of the activity. Examples of activities with 'minimal impacts' include, but are not limited to, (1) minor channel changes associated with bank stabilization; and (2) an activity typically authorized by General Permit, but which requires an Individual Permit because the project falls under one of the listed exclusions.

(26) "Minor Road Crossing" is a bridged or culverted roadway fill across a stream or river which results in the alteration of 200 linear feet or less of streambed or shoreline.

(27) "Mitigation" means compensating for impacts in regulated areas as provided by Rule 1200-4-7-.04(7).

(28) "Practicable alternative" is an alternative that is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

(29) "Resource Values" are the benefits provided by the water resource. These benefits include, but are not limited to, the ability of the water resource to:

(a) filter, settle and/or eliminate pollutants;

(b) prevent the entry of pollutants into downstream waters;

(c) assist in flood prevention;

(d) provide habitat for fish, aquatic life, livestock and water fowl;

(e) provide drinking water for wildlife and water fowl;

(f) provide and support recreational uses; and

(g) provide both safe and adequate quality and quantity of drinking water.

(30) "Sediment" means soil or its constituents that has been deposited in water, is in suspension in water, is being transported, or has otherwise been removed or disturbed from its site of origin.

(31) "Sedimentation or Siltation" means the process by which sediment is deposited in or by the waters of the State.

(32) "Settling Basin" means a prepared storage area constructed to trap and store sediment from erodible areas in order to protect any streams below the construction areas from excessive siltation; an impoundment that accumulates transported sediment and has provisions for a principal spillway; a reservoir which retains high flows sufficiently to cause deposition of transported sediment.

(33) "Stabilize" means the proper placing, grading, and/or covering of soil, rock, or earth to insure their resistance to erosion, sliding or other movement.

(34) "Stream" means all waters of the State on the surface of the ground except wet weather conveyances; streams include, but are not limited to, creeks, rivers, canals, and tributaries.

(35) "Structure" means any building, pier, wharf, dolphin, weir, boom, breakwater, bulkhead, revetment, riprap, jetty, mooring structure, moored floating vessel, piling, aid to navigation, bridge, culvert or any other obstacle or obstruction.

(36) "Utility Line" means any pipe or pipeline for the transportation of any gaseous, liquid, liquefiable or slurry substance, for any purpose, and any cable, line, or wire for the transmission for any purpose of electrical energy, telephone and telegraph messages, and radio and television communication.

(Rule 1200-4-7-.03, continued)

(37) "Water Dependent" describes an activity that requires location in or adjacent to surface waters or wetlands in order to fulfill its basic purpose.

(38) "Wetlands" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

(39) "Wetland Dependent" means that the location of a project or conducting an activity in a wetland is essential to fulfill the purpose of the project. Examples of such projects are fish and wildlife management, nature trails, wildlife observation points, etc.

(40) "Wet Weather Conveyances" are man-made or natural watercourses, including natural watercourses that have been modified by channelization, that flow only in direct response to precipitation runoff in their immediate locality, and whose channels are above the groundwater table, and which do not support fish or aquatic life, and are not suitable for drinking water supplies.

(41) Terminology not specifically defined herein shall be defined in accordance with the Tennessee Water Quality Control Act of 1977, T.C.A. §69-3-101 et seq., and the rules adopted thereunder.

Authority: *T.C.A. §69-3-105(b) and 69-3-108.* ***Administrative History:*** *Original rule filed February 26, 1987; effective April 12, 1987. Amendment filed October 8, 1991; effective November 22, 1991. Amendment filed August 25, 2000; effective November 8, 2000.*

1200-4-7-.04 PERMITS

(1) Application for a Permit.

(a) Any person who plans to engage in any of the activities outlined in §69-3-108 must obtain a permit from the Commissioner to lawfully engage in such activity. There are three (3) types of permits: Individual Permits; §401 Water Quality Certifications; and General Permits. There are several types of General Permits: (1) a General Permit that authorizes the implementation of the activity in accordance with all the terms and conditions of the General Permit without prior notice and approval from the Commissioner; (2) a General Permit which requires the applicant notify TDEC of the planned activity prior to implementing the activity in accordance with the terms and conditions of the General Permit; and (3) a General Permit which requires the applicant to notify the Commissioner of the planned activity and receive approval from the Commissioner prior to implementing the activity in accordance with the terms and conditions of the General Permit. Certain of the General Permits authorize an activity that is authorized by a Nationwide Permit of the U.S. Corps of Engineers and therefore serve as a §401 Certification. Persons need not file an application with the Commissioner if they are conducting an activity pursuant to a General Permit that does not require Notice or approval. Persons who desire to implement an activity pursuant to a General Permit, which requires Notice or Notice and prior approval, must submit the necessary documentation required by the General Permit prior to implementing the planned activity in accordance with the terms and conditions of the General Permit. A person must file an application for an Individual Permit or for a §401 Water Quality Certification with the Department, in accordance with paragraph (3) and (5) of this rule, to implement any activity that is not authorized

by a General Permit. All General Permits in effect as of the date of this Rule shall continue in effect, and are not revoked by these Rules.[1]

(b) The application to the Commissioner for certification of activities which require §404 permits from the United States Army Corps of Engineers (Corps) shall be the application filed with the Army Corps of Engineers. The Joint Public Notice which shall be issued by the Corps, describes the activity and notifies the general public of the application for the §404 permit and state certification and of the public's right to submit comments and requests for public hearing. If further information is required for project evaluation, the Commissioner may request it from either the applicant or the Corps.

(2) General permits.

The Commissioner may use General Permits to authorize alterations to state waters for specific categories of activities that are substantially similar in nature within the state or other specified geographical areas. When the Commissioner determines that a category or activity is suitable for coverage by a General Permit, or that substantive modification of existing General Permits is consistent with §69-3-108 of the Tennessee Water Quality Control Act of 1977, the Commissioner will provide notice of and conduct a minimum of one (1) public hearing. The public notice will contain the relevant information, as set forth in part (4)(c). TDEC will distribute the public notice to interested persons who have requested TDEC notify them of ARAP applications and by posting on the TDEC website. Interested persons may submit written comments on the General Permit within thirty (30) days of the public notice or such greater period as the Commissioner allows. All written comments submitted shall be retained and considered in the final determination to issue a General Permit.

(3) §401 Water Quality Certification.

(a) General. Any person who plans to engage in any of the activities outlined in §404 of the Federal Clean Water Act must obtain a federal permit as well as either a state permit or a state water quality certification under §401 of the Clean Water Act to lawfully engage in such activity in the State of Tennessee. Section 401 of the Federal Clean Water Act requires the Commissioner to certify that the issuance of the federal §404 permit meets the requirements of sections of the Federal Clean Water Act and the Water Quality Control Act. Persons must make application for the planned activity with the Army Corps of Engineers for an individual §404 permit or make use of a Corps of Engineers' nationwide permit.

(b) An individual §404 permit. Where the activity requires an individual §404 permit, the application filed with the Army Corps of Engineers will serve as the application for either the state permit or the state §401 certification. The applicant must file the completed federal application with TDEC for the Commissioner to process and evaluate. The Commissioner will review a completed application and make a determination whether to issue a §401 Water Quality Certification. The application must describe the proposed activity and include all the necessary technical information for the Commissioner to make a determination, including an evaluation of practicable alternatives. The practicable alternatives analysis required by this part shall be satisfied by the applicants' submittal to the Division of a practicable alternatives evaluation for the proposed activity which has been submitted to the Army Corps of Engineers.

[1] The following activities were authorized by a General Permit on the date these rules were promulgated: Bank Stabilization, Gravel Dredging, Launching Ramps, Road Crossings, Alteration of Wet Weather Conveyance, Stream Restoration and Habitat Enhancement, Minor Wetlands, Bridge Scour Repair, Emergency Road Repair, Utility Line Crossings, Surveying and Geotechnical Exploration, Minor Dredging, Alteration and Restoration of Intermittent Streams for Mining, Maintenance Activities, Relocation of Intermittent Streams, Wetlands Restoration and Enhancement, and Impoundment of Intermittent Streams.

(Rule 1200-4-7-.04, continued)

(c) A nationwide permit. Where the activity can be authorized by a Corps of Engineers nationwide permit, the §401 certification can be obtained through the use of a state general permit, if applicable, or an individual permit pursuant to paragraph (5) of this rule. If the Commissioner issues a §401 Certification, the §401 Certification is the state permit.

(4) Public Notice and Participation.

(a) An ARAP Individual Permit or a §401 Certification requires the issuance of Public Notice seeking public participation and comment on the planned activity. However, Public Notice is not required for an activity authorized by General Permit since Public Notice is provided pursuant to part (2) of this part. Each completed application shall be subject to the public notice and participation requirements of Part (b) of this part with the following exceptions:

1. §401 Certification. The Department's procedure for issuing public notice for certification of an application for a federal license or permit pursuant to §401 of the Clean Water Act may be either a public notice issued jointly with the Corps, or a public notice issued by the Department. Such notice will describe the activity, advise the public of the scope of certification, their rights to comment on the proposed activity and to request a public hearing. The notice will also inform the public to whom they should send their requests and comments.

2. Minimal impact activities. For activities that are projected to have only minimal impacts to state waters, which can be readily addressed, the Commissioner may utilize a twenty (20) day public notice period.

3. When the Commissioner determines that a proposed permit modification will not materially change water quality aspects of the project, or will result in an improvement of water quality, as compared to the originally permitted activity, a permit may be modified without public notice.

4. Where the Commissioner determines an emergency situation exists, a permit for remedial action may be issued without prior public notice and participation. The emergency permit shall be advertised by public notice, however, no later than twenty (20) days after issuance. This permit shall be subject to all other provisions of Part (b) of this Rule. The remedial actions allowed shall be limited to those necessary to remedy the emergency.

(b) Upon receipt of a completed ARAP application, the Commissioner will review and evaluate the proposed activity or project to make a determination whether to issue an Individual Permit, as described in (5) of this Part. In order to inform interested and potentially interested persons of the proposed activity, a Public Notice seeking public participation and comment on the activity will be given.

(c) The Public Notice will include the following information:

1. Name, address, and telephone number of the applicant;

2. Name and address of TDEC contact person;

3. A brief description of the proposed activity;

4. A brief description of the scope of the proposed activity;

5. The location of the state waters impacted by the proposed activity;

6. A sketch or detailed description of the location of the proposed activity and the subject waters of the state;

7. The purpose of the proposed activity;

8. The watershed of the subject waters;

9. A description of the conditions of the subject waters and the watershed, (e.g., physical conditions of the waters, quality of the waters such as size, flow, substrate, channel, etc.);

10. The procedure to submit comments on the proposed activity;

11. The procedure for requesting a public hearing; and

12. A brief description of the procedure for the Commissioner to make a final determination to issue a permit.

(d) The approved Public Notice shall be distributed to interested persons and shall be circulated within the geographical area of the proposed activity as follows:

1. TDEC will distribute the approved Public Notice to interested persons who have requested TDEC notify them of ARAP applications and by posting on the TDEC website.

2. The Applicant shall distribute the approved Public Notice to the neighboring landowners by publishing in a local newspaper of general circulation and by posting a sign within view of a public road in the vicinity of the proposed project site as specified by the Division. The sign shall contain those provisions as specified by the Division. The sign shall be of such size that is legible from the public road. Also, the sign shall be maintained for at least thirty (30) days following distribution of the approved Public Notice.

3. The applicant shall provide certification to the Division of compliance with item 2.

(e) A copy of the public notice shall be sent to any person who specifically requests one. Interested persons may submit written comments on the proposed activity within thirty (30) days of public notice or such greater period as the Commissioner allows. All written comments submitted shall be retained and considered in the final determination to issue a permit.

(f) Interested persons, including the applicant, may request, in writing, that the Commissioner hold a public hearing on any application. Said request from interested persons must be filed no later than the end of the period allowed for public comment, and must indicate the interest of the party filing it, must concisely state the water quality issues being raised, and the reasons why a hearing is warranted. If there are water quality issues and significant public interest in having a hearing, the Commissioner shall hold one in the geographical area of the proposed activity. No less than thirty (30) days in advance of the hearing, public notice of it shall be circulated at least as widely as was notice of the application. The Commissioner will distribute notice of the public hearing as set forth in (d)(1) above, and by publishing in a local newspaper. The notice shall cite the date, time and place of the public hearing, a statement of the issues raised by the person requesting the hearing, and the purpose of the public hearing.

(Rule 1200-4-7-.04, continued)

(5) Individual Permits.

(a) Persons who plan to engage in any activity that requires an Aquatic Resource Alteration Permit, which is not governed by a General Permit or a §401 Water Quality Certification, must submit an application to the Commissioner for review and approval prior to implementing the planned activity. The Commissioner will review a completed application and make a determination whether to issue an Individual Permit. The application must describe the proposed activity and include all the necessary technical information for the Commissioner to make a determination. The applicant shall assess the practicable alternatives for a planned activity. If the activity does not avoid impacts to state waters, the individual must comply with Section 7 of this Part. However, if the nature of the affected waters is such that mitigation is not reasonably likely to result in no net loss of water resource values, and if there is a practicable alternative to the activity, which through avoidance or minimization of impacts would result in no net loss, then such alternative shall be selected.

(b) An applicant shall describe the proposed project including the use of technical terms in the definition section of this part where relevant. The sketch or plans and specifications submitted with the application shall describe the method for implementation of the planned activity. Where the proposed activity would result in an appreciable permanent loss of resource value, the applicant must propose adequate mitigation actions so that there is no overall net loss of state water resource values. The applicant shall set forth in the application a brief summary of the practicable alternatives considered to implement the proposed activity.

(c) An Individual Permit is required for water withdrawals, which will or will likely result in alteration of the properties of the source stream.

1. Persons proposing to withdraw water from waters of the state in a manner which will or will likely result in an alteration of the properties of the source stream, shall file an application with the Department which includes the following minimum information:

(i) proposed withdrawal rates and volumes;

(ii) proposed withdrawal schedule; and

(iii) flow data of the source stream (if free flowing).

2. Where a permit for water withdrawal is required, the Commissioner shall establish permit conditions which are protective of the source stream's resource value. These conditions may include flow levels below which no withdrawal may occur. The Commissioner may also establish a maximum withdrawal rate in order to maintain the natural flow fluctuation characteristics of the source stream.

(6) Permit Evaluation Criteria.

(a) Some activities may not be entitled to a permit. When a permit is granted, it shall require compliance with all provisions of the Act, the regulations adopted pursuant to the Act, and any special terms or conditions the Commissioner determines are necessary to fulfill the purposes or enforce the provisions of the Act.

(b) A permit may be modified, suspended, or revoked for cause by the Commissioner upon such notice to the permittee as required by law. Permits for activities that have been completed are not subject to modification. If a modification results in a less restrictive permit, then public notice and opportunity for hearing must be given prior to modification. Cause shall include, but not be limited to the following:

1. violation of any terms or conditions of the permit;

2. obtaining a permit by misrepresentation or failure to disclose fully all relevant facts;

3. causing a condition of pollution;

4. violation(s) of the Act or other environmental statutes;

5. a change in the Act or regulations that substantively impacts the content of the permit;

6. a change in the Federal Clean Water Act that substantively impacts the content of the permit; and

7. a significant change of the physical condition(s) of the site or the waters.

(c) The Act requires that no activity be authorized by the Commissioner unless any lost resource value associated with the proposed impact is offset by mitigation sufficient to result in no overall net loss of resource value. In a situation in which an applicant proposes mitigation that would not result in no overall net loss, the Commissioner shall not issue the permit unless the applicant redesigns the project to avoid impacts, minimize them, or provide mitigation as provided in paragraph (7) so that the redesigned project would result in no net loss of resource value. In making a decision on a permit application, the Commissioner shall determine the lost resource value associated with a proposed impact and the resource value of any proposed mitigation and shall consider the following factors:

1. direct loss of stream length, waters, or wetland area due to the proposed activity;

2. direct loss of in-stream, waters, or wetlands habitat due to the proposed activity;

3. impairment of stream channel stability due to the proposed activity;

4. diminishment in species composition in any stream, wetland, or state waters due to the proposed activity;

5. direct loss of stream canopy due to the proposed activity;

6. whether the proposed activity is reasonably likely to have cumulative or secondary impacts to the water resource;

7. conversion of unique or high quality waters as established in Rule 1200-4-3-.06 to more common systems;

8. hydrologic modifications resulting from the proposed activity;

9. the adequacy and viability of any proposed mitigation including, but not limited to, quantity, quality, likelihood of long term protection, and the inclusion of upland buffers;

10. quality of stream or wetland proposed to be impacted;

11. whether the state waters is listed on the §303(d) list; whether the proposed activity is located in a component of the National Wild and Scenic River System, a State Scenic River, waters designated as Outstanding National Resource Waters, or waters identified as high quality waters as defined in Rule 1200-4-3-.06, known as Tier II waters; whether the activity is located in a waterway which has been identified by the

Department as having contaminated sediments; and whether the activity will adversely affect species formally listed in State and Federal lists of threatened or endangered species; and

12. any other factors relevant under the Act.

(d) All permits which require mitigation of impacts shall contain conditions requiring that the mitigation is performed properly, performed in a timely manner and is adequately maintained.

(7) Mitigation.

(a) Mitigation of state waters other than wetlands.

If an applicant proposes an activity that would result in an appreciable permanent loss of resource value of a state water, the applicant must provide mitigation which results in no overall net loss of resource values. The applicant shall provide the Commissioner with a time schedule for completion of all mitigation measures for approval. Further, for any mitigation involving the relocation or re-creation of a stream segment, to the extent practicable, the applicant shall complete the mitigation before any impact occurs to the existing state waters. Mitigation measures include, but are not limited to:

1. Restoration of degraded stream reaches and/or riparian zones;

2. New (relocated) stream channels;

3. Removal of pollutants from and hydrologic buffering of storm water runoff; and

4. Any other measures which have a reasonable likelihood of increasing the resource value of a state water.

The Commissioner will assess the proposed mitigation to assure there is no overall net loss of resource value. The mitigation measures or actions should be prioritized in the following order: restoration, enhancement, re-creation, and protection.

(b) Mitigation of Wetlands.

1. If an applicant proposes an activity that would result in an appreciable permanent loss of resource value of wetlands, the applicant must provide mitigation which results in no overall net loss of resource value. The applicant shall provide the Commissioner with a time schedule for completion of all mitigation measures for approval. Further, for any mitigation involving the enhancement or preservation of existing wetlands, to the extent practicable, the applicant shall complete the mitigation before any impact occurs to the existing state waters. For any mitigation involving restoration or creation of a wetland, to the extent practicable, the mitigation shall occur either before or simultaneously with impacts to the existing state waters. Mitigation for impacts to wetlands are prioritized as follows:

(i) Restoration of a previously degraded or impacted wetland (with emphasis on prior converted areas) on-site or in the immediate project area;

(ii) Restoration, including mitigation banking, off-site but within the eight digit United States Geological Survey hydrological unit in which the project is located;

(Rule 1200-4-7-.04, continued)

(iii) Restoration, including mitigation banking, outside of the eight digit United States Geological Survey hydrological unit in which the project is located;

(iv) Creation of wetlands on-site or in the immediate project area;

(v) Creation of wetlands off-site;

(vi) Enhancement of existing wetlands;

(vii) Preservation of existing wetlands; or

(viii) A combination of any of the above activities.

2. The ratio of acres required for wetland mitigation should not be less than 2:1 for restoration activities; 4:1 for creation and enhancement; and 10:1 for preservation. Alternatively, the applicant may propose and utilize, subject to the Division's approval, best professional judgment ratios. The best professional judgment ratios shall be based on the resource value and functions of the affected wetland, resource value of the mitigation, and the likelihood of success of the mitigation.

3. All wetland mitigation projects shall include a monitoring and reporting program to document timely achievement of a successful mitigation wetland and remedial actions to correct any deficiency.

(8) Duration and Re-issuance of Permits.

(a) Each permit issued shall have a fixed term not to exceed five (5) years.

(b) Re-issuance of permits is not required for one-time alterations such as construction, as long as the alterations are completed within the time limit established by permit.

(c) For on-going alterations, such as water withdrawals, any permittee who wishes to continue the permitted activity after the expiration date of the permit must make application at least ninety (90) days prior to its expiration date.

(d) The Commissioner shall follow the procedures for public notice and participation detailed in paragraph (4), above, regarding each application for re-issuance of a permit.

(9) Review of Permit Denials, Suspensions, Revocations, Terms and Conditions.

Permittees and applicants for permits who disagree with the denial, suspension or revocation of a permit or the terms and conditions of a permit are entitled to review of the Commissioner's decision by the Water Quality Control Board pursuant to §69-3-105. Any action taken by the Commissioner regarding a permit remains in effect unless and until an order of the Water Quality Control Board or a reviewing court becomes final.

Authority: *T.C.A. §69-3-105(b) and 69-3-108.* ***Administrative History:*** *Original rule filed February 26, 1987; effective April 12, 1987. Amendment filed October 8, 1991; effective November 22, 1991. Amendment filed August 25, 2000; effective November 8, 2000.*

1200-4-7-.05 through 1200-4-7-.11 REPEALED

Authority: *T.C.A. §69-3-105(b) and 69-3-108.* ***Administrative History:*** *Original rule filed February 26, 1987; effective April 12, 1987. Amendment filed October 8, 1991; effective November 22, 1991. Repeal filed August 25, 2000; effective November 8, 2000.*

GENERAL PERMIT FOR EMERGENCY ROAD REPAIR

This general permit applies to stream alterations necessary to the repair of a public roadway or highway in the case of imminent threat to the public safety. No written permit or advanced authorization is required when a chief administrative officer of a public highway or transportation department repairs or causes the repair of highways or roads in emergency situations where immediate repairs are necessary to protect human safety and welfare.

Notification

1) The chief administrative officer of the public highway or transportation department shall notify the Division by telephone as soon as practicable that an emergency has arisen and of intentions to make repairs in response to the emergency.

2) Within ten (10) days of the completion of the emergency repair work the chief administrative officer shall notify the Division in writing of the action taken and the nature of the emergency necessitating such immediate repair.

General Terms and Conditions

1) The extent of stream alteration associated with the road repair undertaken pursuant to this section shall not exceed four hundred feet (400').

2) Soil materials must be prevented from entering waters of the state. Erosion and sedimentation control measures to protect water quality must be maintained throughout the construction period. Erosion and sedimentation controls shall include, but are not limited to straw or hay bales and/or silt fence, brush barriers, berms, sediment ponds and other proven devices. Hay bales and/or silt fence must be installed along the base of all fills and cuts, on the down hill side of stock piled soil, and along stream banks in cleared areas to prevent sedimentation to streams. They must be installed on the contour, entrenched and staked, and extend the width of the area to be cleared. Erosion and sedimentation controls must be repaired, if necessary, after rainfall.

3) Instream sedimentation control devices are not approved as primary treatment devices. They may be used only as backup or fail-safe protection. Separate erosion and sedimentation controls and sediment treatment devices must be utilized.

4) Excavation and fill activities shall be separated from flowing waters. All surface water flowing towards excavation or fill work shall be diverted through utilization of cofferdams, berms, temporary channels, or pipes. Temporary diversion channels must be protected by non-erodible material and lined to the expected high water level. Cofferdams must be constructed of sandbags, clean rock, steel sheeting or other non-erodible materials. Clean rock is rock of various type and size, depending upon application, which contains no fines, soils, or other wastes or contaminants.

5) Slurry water pumped from work areas and excavations must be held in settling basins or treated by filtration prior to its discharge into surface waters. Water must be held in settling basins until at least as clear as the receiving waters. Settling basins shall not be located closer than twenty (20) feet from the top bank of a stream. Settling basins and traps shall be properly designed according to the size of the drainage areas or volume of water to be treated.

6) Check dams shall be utilized where runoff is concentrated. Clean rock, log, sandbag, or straw bale check dams shall be properly constructed to detain runoff and trap sediment. However, no such measures shall be used in streams. Clean rock is rock of various type and size, depending upon application, which contains no fines, soils, or other wastes or contaminants.

7) Clearing, grubbing and other disturbance to riparian vegetation shall be limited to the minimum necessary to accomplish emergency repairs and equipment operations. Unnecessary vegetation removal is prohibited. All disturbed areas shall be properly stabilized as soon as practicable.

8) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.

9) Streams shall not be used as transportation routes for heavy equipment. Crossings must be limited to one point and erosion control measures must be utilized where the stream banks are disturbed. Where the streambed is not composed of rock, a pad of clean rock must be used at the crossing point. All temporary fill must be completely removed after the work is completed. Clean rock is rock of various type and size, depending upon application, which contains no fines, soils, or other wastes or contaminants.

10) Emergency repair work shall be limited to that necessary to restore pre-emergency conditions. Channel enlargements or realignments are not authorized under this section, other than to restore preemergency conditions.

11) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.

Effective Date July 1, 2000 APPROVED: _____

Expiration Date June 30, 2005 Paul Davis, Director

GENERAL PERMIT FOR LAUNCHING RAMPS

Construction of boat launching ramps is hereby permitted provided the activity is done in accordance with the terms and conditions below.

Exclusions

This general permit cannot be used to authorize work in the following circumstances:

(a) where the proposed activity will adversely affect wetlands;

(b) where a portion of the proposed activity is located in a component of the National Wild and Scenic River System, a State Scenic River, or waters designated as Outstanding National Resource Waters;

(c) when a portion of the proposed activity is located in any waterway which is identified by the Department as having contaminated sediments, and where the proposed work will likely mobilize the contaminants;

(d) when the project will adversely affect a species formally listed on State or Federal lists of threatened, or endangered species; or (e) when an individual permit is required. Projects not qualifying for authorization by this general permit may be authorized by individual permit provided all requirements of the *Tennessee Water Quality Control Act of 1977* are met.

Notification

1) Where construction of a launching ramp is located within water resource development project lands and waters, including flowage easement, managed by the Tennessee Valley Authority or the U. S. Army Corps of Engineers, notification to the Division is not required. However, prior to commencement of construction, the applicant must have received any necessary authorizations pursuant to applicable provisions of §10 of *The Rivers and Harbors Act of 1899*, §404 of *The Clean Water Act* and §26a of *The Tennessee Valley Authority Act*.

2) Where construction of a launching ramp is not located within water resource development project lands and waters, including flowage easement, managed by the Tennessee Valley Authority or the U.S. Army Corps of Engineers, persons proposing to construct a launching ramp in waters of the State shall notify the Division by submission of an application which includes the following minimum information:

   (a) a map showing the exact location of the proposed construction site; and
   (b) a single copy of construction plans which includes specifications for proposed stream channel alterations and pollution control methods or structures.

   Construction shall not commence until the Division issues written notification that the proposal may proceed in accordance with the terms of this general permit or issues an individual permit.

General Terms and Conditions

1) The total width, including base fill material, may not exceed 20 feet for the proposed ramp for projects not located within water resource development project lands and waters, including flowage easement, managed by the Tennessee Valley Authority or the U. S. Army Corps of Engineers.

2) The ramp shall be constructed in the dry to the maximum extent practicable during winter drawdown periods of lakes/reservoirs or during low flow periods of free flowing streams. If wet construction is necessary, cofferdams shall be utilized.

3) The excavation and fill activities associated with the ramp construction shall be kept to a minimum and all excess material shall be hauled to an upland site and properly stabilized to prevent reentry to the waterway.

4) Clearing, grubbing and other disturbance to riparian vegetation shall be limited to the minimum necessary for slope construction and equipment operations. Unnecessary vegetation removal is prohibited. All disturbed areas shall be properly stabilized as soon as practicable.

5) The use of the ramp must not interfere with the public's right to free navigation on all navigable waters of the United States.

6) Ramps constructed on fill shall have the side slopes stabilized with riprap.

7) Material may not be placed in such location or manner so as to impair surface water flow into or out of any wetland area.

8) The material to be discharged shall be free of contaminants, including toxic pollutants, hazardous substances, waste metal, construction debris, organic materials, etc.

9) Soil materials must be prevented from entering waters of the state. Erosion and sedimentation control measures to protect water quality must be maintained throughout the construction period. Erosion and sedimentation controls shall include, but are not limited to straw or hay bales and/or silt fence, brush barriers, berms, sediment ponds and other proven devices. Hay bales and/or silt fence must be installed along the base of all fills and cuts, on the down hill side of stock piled soil, and along stream banks in cleared areas to prevent sedimentation to streams. They must be installed on the contour, entrenched and staked, and extend the width of the area to be cleared. Erosion and sedimentation controls must be repaired, if necessary, after rainfall.

10) Instream sedimentation control devices are not approved as primary treatment devices. They may be used only as backup or fail-safe protection. Separate erosion and sedimentation controls and sediment treatment devices must be utilized.

11) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.

12) Upon achievement of final grade, all disturbed areas must be stabilized and re-vegetated within 30 days by sodding or seeding and mulching. Seed to be utilized shall include a combination of annual grains and grasses, legumes, and perennial grasses. Lime and fertilizer shall be applied as needed to achieve a vegetative cover.

13) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.

Effective Date July 1, 2000 APPROVED: _____

Expiration Date June 30, 2005 Paul Davis, Director

GENERAL PERMIT FOR ROAD CROSSINGS

Construction of road crossings of waters where the total length of stream encapsulation is 200 linear feet or less is hereby permitted provided the activity is done in accordance with the terms and conditions below.

Exclusions

This general permit cannot be used to authorize work in the following circumstances:

(a) where the proposed activity will adversely affect wetlands;

(b) when the total length of stream encapsulation is more than 200 feet;

(c) where a portion of the proposed activity is located in a component of the National Wild and Scenic River System, a State Scenic River, or waters designated as Outstanding National Resource Waters;

(d) when a portion of the proposed activity is located in any waterway which is identified by the Department as having contaminated sediments, and where the proposed work will likely mobilize the contaminants;

(e) when the project will adversely affect a species formally listed on State or Federal lists of threatened, or endangered species; or

(f) when an individual permit is required.

Projects not qualifying for authorization by this general permit may be authorized by individual permit provided all requirements of the *Tennessee Water Quality Control Act of 1977* are met.

Notification

1) Where the total width of fill or disturbance to the stream channel for construction of the road crossing is less than 25 feet, notification to the Division is required prior to commencing construction in accordance with this general permit. Work may commence without written authorization from the Division. However it is the applicant's responsibility to assure that all of the terms and conditions of this general permit are met.

2) Persons proposing to construct a minor road crossing in waters of State where the total width of fill or disturbance to the stream channel is greater than 25 feet shall notify the Division by submission of an application which includes the following minimum information:

    (a) a map showing the exact location of the proposed construction site; and

    (b) a single copy of construction plans which includes specifications for proposed stream channel alterations and pollution control methods or structures.

    Stream alteration activities shall not commence until the Division issues written notification that the proposal may proceed in accordance with the terms of this general permit or issues an individual permit.

General Terms and Conditions

1) Only clean rock may be placed directly into waters. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants. Other

fill materials to be discharged below ordinary high water must be free of fines, sediment, soil, pollutants, contaminants, toxic materials, trash, or other waste materials.

2) The width of the fill associated with the crossing shall be limited to the minimum necessary for the actual crossing.
3) Excavation and fill activities shall be separated from flowing waters. All surface water flowing toward the excavation or fill work shall be diverted through utilization of cofferdams, berms, or temporary channels. Temporary diversion channels must be protected by non-erodible material and lined to the expected high water level. Cofferdams must be constructed of sandbags, clean rock, steel sheeting or other non-erodible material. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants.

4) The crossing shall be culverted, bridged or otherwise designed to prevent the impoundment of normal or base flows. Base flow is that usual or normal flow of the stream that is supplied primarily by groundwater from springs and seeps, but not affected by rapid runoff during and after rainfall.

5) The crossing shall be designed and constructed so as not to disrupt the movement of aquatic life. Where practicable, the bottom of culverts should be constructed below the stream bed level, with natural substrate placed over the culvert bottom following construction.

6) Soil materials must be prevented from entering waters of the state. Erosion and sedimentation control measures to protect water quality must be maintained throughout the construction period. Erosion and sedimentation controls shall include, but are not limited to straw or hay bales and/or silt fence, brush barriers, berms, sediment ponds and other proven devices. Hay bales and/or silt fence must be installed along the base of all fills and cuts, on the down hill side of stock piled soil, and along stream banks in cleared areas to prevent sedimentation to streams. They must be installed on the contour, entrenched and staked, and extend the width of the area to be cleared. Erosion and sedimentation controls must be repaired, if necessary, after rainfall.

7) Instream sedimentation control devices are not approved as primary treatment devices. They may be used only as backup or fail-safe protection. Separate erosion and sedimentation controls and sediment treatment devices must be utilized.

8) Slurry water pumped from work areas and excavations must be held in settling basins or treated by filtration prior to its discharge into surface waters. Water must be held in settling basins until at least as clear as the receiving waters. Settling basins shall not be located closer than 20 feet from the top bank of a stream. Settling basins and traps shall be properly designed according to the size of the drainage areas or volume of water to be treated.

9) Check dams shall be utilized where runoff is concentrated. Clean rock, log, sandbag, or straw bale check dams shall be properly constructed to detain runoff and trap sediment. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants.

10) Clearing, grubbing and other disturbance to riparian vegetation shall be limited to the minimum necessary for slope construction and equipment operations. Unnecessary vegetation removal is prohibited. All disturbed areas shall be properly stabilized as soon as practicable.

11) Streams shall not be used as transportation routes for heavy equipment. Crossings must be limited to one point and erosion control measures must be utilized where the stream banks are disturbed. Where the streambed is not composed of rock, a pad of clean rock must be used at the crossing point. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants. All temporary fill must be completely removed after the work is completed.

12) Construction debris must be kept from entering the stream channel.

13) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.

14) Upon achievement of final grade, all disturbed areas must be stabilized and re-vegetated within 30 days by sodding or seeding and mulching. Seed to be utilized shall include a combination of annual grains and grasses, legumes, and perennial grasses. Lime and fertilizer shall be applied as needed to achieve a vegetative cover.

15) The project should be consistent with all applicable local floodplain regulations. The applicant should contact local government officials to determine what these regulations are at a particular location.

16) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.

Effective Date July 1, 2000 APPROVED: _____

Expiration Date June 30, 2005 Paul Davis, Director

GENERAL PERMIT FOR MINOR WETLANDS ALTERATIONS

This general permit authorizes alteration of up to one acre of isolated wetlands. Alterations are addressed in two size categories. Under the stated terms and conditions, up to one fourth acre of qualifying wetlands may be altered without compensatory mitigation and up to one acre of qualifying wetlands may be altered with approved compensatory mitigation. Isolated wetlands are wetlands that are either not hydrologically connected to other waters of the state or are connected only by wet weather conveyance.

1) Fill or other alteration of up to one-fourth acre of isolated wetlands is allowed by this general permit without compensatory mitigation, provided the activity is done in accordance with the applicable terms and conditions of this general permit.

2) Fill or alteration of up to one acre of isolated wetlands is authorized by this general permit provided the activity is done in accordance with the applicable terms and conditions, and provided a plan for compensatory mitigation to offset unavoidable adverse wetlands impacts is submitted by the applicant, approved by the Division and implemented as approved.

Exclusions

This general permit cannot be used to authorize work in the following circumstances:

(a) where a portion of the activity is located in waters which have been identified by the Department as having contaminated sediments, and where the proposed work will likely mobilize the contaminants;

(b) when the project will adversely affect a species formally listed on State or Federal lists of threatened, or endangered species;

(c) when the wetland represents a high quality ecological resource as compared to others within the ecoregion;

(d) when all available and practicable measures have not been employed to avoid and minimize adverse impacts on wetlands and other waters of the state; and

(e) when an individual permit is required.

Projects not qualifying for authorization by this general permit may be authorized by individual permit provided all requirements of the *Tennessee Water Quality Control Act of 1977* are met.

Notification

Persons proposing to alter wetlands with authorization by this general permit shall notify the Division by submission of an application, which includes, at a minimum, the following information:

(a) a map showing the exact location of the proposed activity;

(b) a description of the wetland to be altered including boundaries, vegetation and hydrologic characteristics; and

(c) a single copy of construction plans which includes specifications for proposed wetlands alterations and proposed pollution control methods or structures.

Construction shall not commence until the Division issues written notification that the proposal may proceed in accordance with the terms of this general permit, or issues an individual permit.

General Terms and Conditions

1) Wetland alterations authorized by this general permit must be part of a single and complete project. This general permit can not be used in an incremental or piecemeal means to alter larger areas of wetlands.

2) The alteration shall not adversely affect the functions and classified use support of adjacent wetlands and other waters of the state.

3) The excavation and fill activities associated with the wetlands alteration shall be kept to a minimum and all excess material shall be hauled to an upland site and properly stabilized to prevent reentry to waters of the State.

4) Clearing, grubbing and other disturbance to areas in or immediately adjacent to waters of the state shall be limited to the minimum necessary to accomplish the proposed activity. Unnecessary vegetation removal is prohibited. All disturbed areas shall be properly stabilized as soon as possible.

5) Any material to be discharged into wetlands or other waters of the state shall be free of contaminants including toxic pollutants and hazardous substances.

6) Soil materials must be prevented from entering waters of the state. Erosion and sedimentation control measures to protect water quality must be maintained throughout the construction period. Erosion and sedimentation controls shall include, but are not limited to straw or hay bales and/or silt fence, brush barriers, berms, sediment ponds and other proven devices. Hay bales and/or silt fence must be installed along the base of all fills and cuts, on the down hill side of stock piled soil, and along stream banks in cleared areas to prevent sedimentation to streams. They must be installed on the contour, entrenched and staked, and extend the width of the area to be cleared. Erosion and sedimentation controls must be repaired, if necessary, after rainfall.

7) Instream sedimentation control devices are not approved as primary treatment devices. They may be used only as backup or fail-safe protection. Separate erosion and sedimentation controls and sediment treatment devices must be utilized.

8) Upon achievement of final grade, all disturbed areas must be stabilized and re-vegetated within 30 days by sodding or seeding and mulching. Seed to be utilized shall include a combination of annual grains and grasses, legumes, and perennial grasses. Lime and fertilizer shall be applied as needed to achieve a vegetative cover.

9) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.

10) Prior authorization must be obtained when necessary by the applicant pursuant to applicable provisions of §404 of the *Clean Water Act* and §26a of *The Tennessee Valley Authority Act.*

11) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical or archeological features or sites is prohibited.

Effective Date July 1, 2000 APPROVED: _____

Expiration Date June 30, 2005 Paul Davis, Director

GENERAL PERMIT FOR BRIDGE SCOUR REPAIR ACTIVITIES

Bridge scour repair activities are hereby permitted provided the activity is done in accordance with the terms and conditions below.

Exclusions

This general permit cannot be used to authorize work in the following circumstances:

(a) where wetlands will be adversely affected by the proposed work;

(b) when the activity is located in any waterway which is identified by the Department as having contaminated sediments, and where the proposed work will likely mobilize the contaminants;

(c) where a portion of the proposed activity is located in a component of the National Wild and Scenic River System, a State Scenic River, or waters designated as Outstanding National Resource Waters;

(d) when the project will adversely affect a species formally listed on State or Federal lists of threatened or endangered species; or

(e) when an individual permit is required.

Bank stabilization projects not qualifying for authorization by this general permit may be authorized by individual permit provided all requirements of the *Tennessee Water Quality Control Act of 1977* are met.

Notification

Persons proposing to conduct bridge scour repair activities in waters of the State shall notify the Division by submission of an application which includes the following minimum information:

(a) a cover letter explaining the scope of the project;

(b) an U.S.G.S. topographic map showing the exact location of the proposed construction site; and

(c) a single copy of construction plans which include specifications for stream channel alterations and detailed pollution control methods or structures.

Scour repair activities shall not commence until the Division issues written notification that the proposal may proceed in accordance with the terms of this general permit or issues an individual permit.

General Terms and Conditions

1) Temporary erosion control measures must be in place before any construction operations begin, maintained throughout the construction period and repaired, as necessary, until all erodible soil at the site is stabilized. Effective erosion control must be installed along the base of all fills and cuts, on the downhill side of stockpiled soil, and along stream banks in cleared areas to prevent erosion into streams.

2) Placement of material for scour protection or repair shall be limited to 50 linear feet either side of the outside edge of the bridge. Material shall be limited to clean rock, riprap, rock-filled wire baskets or mattresses, or concrete contained by formwork for footing repair. Stabilization materials shall not include gravel, sand, sediments, chert, soil, or other unconsolidated materials. Materials to be discharged shall be free of pollutants, contaminants, toxic materials, hazardous substances, waste metal, construction debris and trash, and other wastes as defined by T.C.A. 69-3-103(18).

3) Scour protection shall be designed and installed to prevent impairment of flow.

4) Scour protection shall not disrupt the movement of fish and aquatic life.

5) Bank shaping shall be limited to that necessary for placement of scour repair materials.

6) Where practicable, excavation activities shall be accomplished in the dry. All surface water flowing towards the excavation shall be diverted through utilization of cofferdams and/or berms. Cofferdams and berms must be constructed of sandbags, clean rock, steel sheeting, or other non-erodible material. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants.

7) No excavated material may be placed in the existing stream channels. Excavated material must be removed to a location that will prevent its reentry into waters of the State.

8) Water from work areas and excavations must be held in settling basins or treated by filtration prior to its discharge into surface waters. Water must be held in settling basins until at least as clear as the waters upstream of the construction site. Settling basins shall not be located closer than 20 feet from the water line. Settling basins and traps shall be properly designed according to the size of the drainage areas or volume of water to be treated.

9) Clearing, grubbing and other disturbance to riparian vegetation shall be limited to the minimum necessary for placement of the scour protection materials. Unnecessary vegetation removal is prohibited. All disturbed areas shall be riprapped, sodded, or seeded and mulched within 30 days of disturbance. Seeding shall include a combination of annual grains and grasses, legumes, and perennial grasses. Lime and fertilizer shall be applied as needed to achieve a vegetative cover.

10) Streams shall not be used as transportation routes for heavy equipment. Crossings shall be limited to one point and erosion control measures must be utilized where stream banks are disturbed. Crossings shall be constructed of clean rock and shall be sufficiently designed to convey flow without any impairment. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants.

11) Construction debris shall be kept from entering the stream channel and shall be disposed of in a manner that shall not impact any waters of the State.

12) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.

13) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.

Effective Date July 1, 2000 APPROVED: _____

Expiration Date June 30, 2005 Paul Davis, Director

GENERAL PERMIT FOR UTILITY LINE CROSSINGS OF STREAMS

Construction, maintenance, repair, rehabilitation or replacement of utility line crossings of streams is hereby permitted without notification requirement, provided the activity is done in accordance with the terms and conditions of this general permit. For the purpose of this general permit, bodies of water defined as navigable pursuant to *Section 10 of the Rivers and Harbors Act of 1899* are subject to different restrictions than all other waters regarding the specific construction methodologies to be employed. This general permit cannot be used to authorize multiple crossings of the same stream by gravity sewers.

Exclusions

This general permit cannot be used to authorize work in the following circumstances:

(a) where wetlands will be affected by the proposed work, except as provided for in item three of the special terms and conditions below;

(b) when the activity is located in any waterway which is identified by the Department as having contaminated sediments, and where the proposed work will likely mobilize the contaminants;

(c) where a portion of the proposed activity is located in a component of the National Wild and Scenic River System, a State Scenic River, or waters designated as Outstanding National Resource Waters;

(d) where the proposed project involves multiple crossings of the same stream by gravity sewers;

(e) when the project will adversely affect a species formally listed on State or Federal lists of threatened or endangered species; or

(f) when an individual permit is required.

Utility line crossing projects not qualifying for authorization by this general permit may be authorized by individual permit provided all requirements of the *Tennessee Water Quality Control Act of 1977* are met.

Notification

Notification to the Division is required prior to commencing construction for utility line crossings and maintenance conducted in accordance with this general permit. Work may commence without written authorization from the Division. However it is the applicant's responsibility to assure that all of the terms and conditions of this general permit are met.

Special Terms and Conditions

1) Where the activity is located in waters which are not navigable pursuant to § 10, excavation and fill activities shall be separated from flowing waters. All surface water flowing toward the excavation or fill work shall be diverted, piped or flumed to the downstream side of the work. This can be accomplished through utilization of cofferdams or constructed berms in conjunction with a pipe or flume. Cofferdams must be constructed of sandbags, clean rock, steel sheeting or other non-erodible material. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants.

2) Where the activity is located in waters defined as navigable pursuant to § 10 of *the Rivers and Harbors Act of 1899,* excavation and fill work may be accomplished within the water column.

3) Maintenance, repair and rehabilitation of existing facilities in wetlands is authorized under the following special provisions:

(a) the total amount of excavation or fill does not exceed fifty cubic yards;

(b) the wetlands alteration is located within the right of way of the existing facility; and

(c) fill activities for the construction of equipment access roads is not authorized in wetlands.

General Terms and Conditions

1) New utility line crossings shall be located such as to avoid permanent alteration or damage to the integrity of the stream channel. Large trees, steep banks, rock outcroppings, etc. should be avoided.

2) In the case of proposed gravity sewer lines and other utility lines that follow the stream gradient or otherwise parallel the stream channel, the number of crossings shall be minimized. Where cumulative impacts are likely because of numerous crossings, an individual permit may be required.

3) The alignment of new utility line crossings shall intersect the stream channel as close to 90 degrees or as perpendicular as possible, and in no case less than 45 degrees angle from the centerline of the stream.

4) In the case of small streams with a bedrock streambed that must be blasted to form a trench, provision shall be made to prevent the loss of stream flow to fracturing of the bedrock. Where loss of surface flow is likely to occur, an individual permit may be required.

5) Soil materials must be prevented from entering waters of the state. Erosion and sedimentation control measures to protect water quality must be maintained throughout the construction period. Erosion and sedimentation controls shall include, but are not limited to straw or hay bales and/or silt fence, brush barriers, berms, sediment ponds and other proven devices. Hay bales and/or silt fence must be installed along the base of all fills and cuts, on the down hill side of stock piled soil, and along stream banks in cleared areas to prevent sedimentation to streams. They must be installed on the contour, entrenched and staked, and extend the width of the area to be cleared. Erosion and sedimentation controls must be repaired, if necessary, after rainfall.

6) Instream sedimentation control devices are not approved as primary treatment devices. They may be used only as backup or fail-safe protection. Separate erosion and sedimentation controls and sediment treatment devices must be utilized.

7) Backfill activities must be accomplished in a manner that stabilizes the streambed and banks to prevent erosion. Backfill materials shall consist of suitable materials free of contaminants. All contours must be returned to pre-project conditions. The completed work may not disrupt or impound stream flow.

8) Slurry water pumped from work areas and excavations must be held in settling basins or treated by filtration prior to its discharge into surface waters. Water must be held in settling basins until at least as clear as the receiving waters. Settling basins shall not be located closer than 20 feet from the top bank of a stream. Settling basins and traps shall be properly designed according to the size of the drainage areas or volume of water to be treated.

9) Check dams shall be utilized where runoff is concentrated. Clean rock, log, sandbag, or straw bale check dams shall be properly constructed to detain runoff and trap sediment. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants.

10) Clearing, grubbing and other disturbance to riparian vegetation shall be limited to the minimum necessary for slope construction and equipment operations. Unnecessary vegetation removal is prohibited. All disturbed areas shall be properly stabilized as soon as practicable.

11) Streams shall not be used as transportation routes for heavy equipment. Crossings must be limited to one point and erosion control measures must be utilized where the stream banks are disturbed. Where the streambed is not composed of rock, a pad of clean rock must be used at the crossing point. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants. All temporary fill must be completely removed after the work is completed.

12) Construction debris must be kept from entering the stream channel.

13) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.

14) Upon achievement of final grade, the disturbed streambank shall be stabilized with riprap or other suitable material. All other disturbed soils must be stabilized and re-vegetated within 30 days by sodding or seeding and mulching. Seed to be utilized shall include a combination of annual grains and grasses, legumes, and perennial grasses. Lime and fertilizer shall be applied as needed to achieve a vegetative cover.

15) Upon completion of construction, the stream shall be returned as nearly as possible to its original, natural conditions.

16) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.

Effective Date July 1, 2000 APPROVED: _____

Expiration Date June 30, 2005 Paul Davis, Director

GENERAL PERMIT FOR STREAM RESTORATION AND HABITAT ENHANCEMENT

This general permit applies to the activities associated with the restoration of altered or degraded streams, their banks and riparian lands. Riparian areas are the stream banks and adjacent low lying strip of land that is frequently scoured by high waters. The riparian area may typically correspond with the floodway. Stream in this case includes lakes, rivers, creeks, and other watercourses, but does not include wetlands. Stream restoration includes those activities that serve the purpose of restoring "natural" characteristics such as hydrology and substrates, native vegetation, and habitat functions to altered and degraded stream channels and riparian areas. Stream restoration activities include riparian revegetation, vegetative bank stabilization, and in-stream habitat improvement structures and activities. Authorized structures include, but are not limited to current deflectors, log sill structures, low head dams, bank crib units, rock substrates and boulder clusters. These structures and the activities necessary to their installation are hereby permitted by this general permit, provided the activities are done according to the general terms and conditions below.

Exclusions

This general permit cannot be used to authorize work in the following circumstances:

(a) where wetlands will be adversely affected by the proposed work;

(b) when the activity is located in any waterway which is identified by the Department as having contaminated sediments, and where the proposed work will likely mobilize the contaminants;

(c) where a portion of the proposed activity is located in a component of the National Wild and Scenic River System, a State Scenic River, or waters designated as Outstanding National Resource Waters;

(d) when the project will adversely affect a species formally listed on State or Federal lists of threatened or endangered species; or

(e) when an individual permit is required.

Stream restoration and habitat enhancement projects not qualifying for authorization by this general permit may be authorized by individual permit provided all requirements of the *Tennessee Water Quality Control Act of 1977* are met.

Notification

Persons proposing to perform stream restoration activities in waters of State shall notify the Division by submission of an application, which includes the following minimum information:

(a) a map showing the exact location of the proposed construction site; and

(b) a single copy of construction plans which includes specifications for proposed stream channel alterations and pollution control methods or structures.

Stream restoration activities shall not commence until the Division issues written notification that the proposal may proceed in accordance with the terms of this general permit or issues an individual permit.

General Terms and Conditions

1) Excavation, dredging, bank reshaping or grading shall be limited to the minimum necessary to install authorized structures or prepare the bank for revegetation. These activities are prohibited from taking place directly in the water column, except where necessary to key into the stream bank in-stream structures such as log-sills, wing deflectors, k-dams and other similar structures. In-stream excavation must be minimized and should not result in more than an insignificant

increase in turbidity or suspended solids and under no circumstance result in harm or detriment to fish and aquatic life or other classified uses of waters of the state.

2) All materials to be discharged or placed below ordinary high water must be free of pollutants, contaminants, toxic materials, trash, creosote treated timbers, or other wastes as defined by T.C.A. 69- 3-103(18).

3) Equipment that will cause the least damage to the environment shall be selected for performing stream restoration. First consideration shall be given to the use of hand operated equipment such as shovels, axes, chain saws, and winches. Bank shaping may be accomplished by small tractors, backhoes, small trackhoes, and small bulldozers. However, no work by larger equipment is authorized.

4) Where practicable, access to each area shall be made at one point only, limiting disruption of trees and other stream cover to an area less than twenty feet wide.

5) Soil materials must be prevented from entering waters of the state. Erosion and sedimentation control measures to protect water quality must be maintained throughout the construction period. Erosion and sedimentation controls shall include, but are not limited to straw or hay bales and/or silt fence, brush barriers, berms, sediment ponds and other proven devices. Hay bales and/or silt fence must be installed along the base of all fills and cuts, on the down hill side of stock piled soil, and along stream banks in cleared areas to prevent sedimentation to streams. They must be installed on the contour, entrenched and staked, and extend the width of the area to be cleared. Erosion and sedimentation controls must be repaired, if necessary, after rainfall.

6) Instream sedimentation control devices are not approved as primary treatment devices. They may be used only as backup or fail-safe protection. Separate erosion and sedimentation controls and sediment treatment devices must be utilized.

7) Clearing, grubbing and other disturbance to riparian vegetation shall be limited to the minimum necessary for grading work and equipment operations. Unnecessary vegetation removal is prohibited. All disturbed areas shall be properly revegetated as soon as practicable.

8) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.

9) Upon achievement of final grade, all disturbed areas must be stabilized and revegetated within 30 days using appropriate native riparian species. Seed to be utilized shall include a combination of native species of annual grains and grasses, legumes, and perennial grasses. Lime and fertilizer shall be applied as needed to achieve a vegetative cover.

10) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.

Effective Date July 1, 2000 APPROVED: _____

Expiration Date June 30, 2005 Paul Davis, Director

GENERAL PERMIT FOR THE ALTERATION OF WET WEATHER CONVEYANCES

Wet weather conveyances are defined in Rule 1200-4-3-.04 of the Rules of the Tennessee Department of Environment and Conservation. Wet weather conveyances are man-made or natural watercourses, including natural watercourses that have been modified by channelization, that flow only in direct response to precipitation runoff in their immediate locality, the channels of which are above the groundwater table and which do not support fish or aquatic life and are not suitable for drinking water supplies. Rule 1200-4-3-.02(7) requires that waters designated as wet weather conveyances shall be protective of wildlife and humans that may come in contact with them and maintain standards applicable to all downstream waters. No other use classification or water quality criteria apply to these waters.

Notification

Activities which result in the alteration of wet weather conveyances are hereby permitted without notification to the Division provided the general terms and conditions of this general permit are followed.

General Terms and Conditions

1) The activity may not result in the discharge of waste or other substances that may be harmful to humans or wildlife.

2) Soil materials must be prevented from entering waters of the state. Erosion and sedimentation control measures to protect water quality must be maintained throughout the construction period. Erosion and sedimentation controls shall include, but are not limited to straw or hay bales and/or silt fence, brush barriers, berms, sediment ponds and other proven devices. Hay bales and/or silt fence must be installed along the base of all fills and cuts, on the down hill side of stock piled soil, and along stream banks in cleared areas to prevent sedimentation to streams. They must be installed on the contour, entrenched and staked, and extend the width of the area to be cleared. Erosion and sedimentation controls must be repaired, if necessary, after rainfall.

3) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.

Effective Date July 1, 2000 APPROVED: _____

Expiration Date June 30, 2005 Paul Davis, Director

GENERAL PERMIT FOR RELOCATION OF INTERMITTENT STREAMS

This general permit allows relocation of up to 500 feet of intermittent stream channel. In the case of this general permit, intermittent streams are defined as natural or man made watercourses that cease to flow for sustained periods during a normal rainfall year. Intermittent streams typically cease flow during the later summer through the fall months, although some may exhibit no flow in the channel during wetter months. Length of relocations is measured along the centerline of the channel. Relocation of intermittent streams is hereby permitted provided the activity is done in accordance with the terms and conditions below.

Exclusions

This general permit cannot be used to authorize work in the following circumstances:

(a) when a portion of the activity is located in a component of the national wild and scenic river system, a state scenic river, or waters designated as high quality waters such as trout streams or outstanding national resource waters subject to *The Tennessee Antidegradation Statement*, Rule 1200-4-3-.06;

(b) where the activity is likely to adversely affect wetlands;

(c) when the activity is located in a waterway which has been identified by the Department as having contaminated sediments, and where the proposed work will likely mobilize the contaminants;

(d) when the project will adversely affect a species formally listed on state or federal lists of threatened or endangered species; or

(e) when an individual permit is required.

Notification

Persons proposing to relocate up to 500 linear feet of an intermittent stream channel shall apply for coverage to the Division by submission of an original, signed notification which includes the following minimum information:

(a) a map showing the exact location of the proposed construction site; and

(b) a single copy of construction plans which includes specifications for proposed stream channel alterations and pollution control methods or structures.

Work within the stream channel shall not commence until the Division issues written notification that the proposal may proceed in accordance with the terms of this general permit or issues an individual permit.

General Terms and Conditions

1) The relocation activity may only be commenced where there is no flow in the channel and where sustained flow is not likely to recur during the period of construction. Work may only commence during seasonally dry periods in the case of intermittent streams that exhibit seasonal flow, or regardless of season in the case of channels that flow only periodically.

2) Relocated channels must be constructed to a stable condition which replicates pre-existing conditions or returns the channel to a more natural condition in terms of channel shape, dimensions, and substrate.

3) Provision must be made for the conveyance of water through the watercourse during construction, utilizing the original channel or lined diversion channels, etc., to prevent pollution of the stormwater runoff through the watercourse.

4) Backfill activities must be accomplished in a manner that stabilizes the streambed and banks to prevent erosion. Backfill materials shall consist of suitable materials free of contaminants. The completed work may not disrupt or impound stream flow.

5) Erosion and sediment control measures are required where soil will be disturbed. The control measures must be in place before earthmoving operations begin, maintained throughout the construction period and repaired, if necessary, after rainfall. Control measures such as straw bales and/or silt fence must be installed along the base of all fills and cuts, on the down hill side of stock piled soil, and along the waterbody in cleared areas to prevent movement of sediments into the waters. They must be installed parallel to the waterbody, entrenched and staked, and extend the width of the area to be cleared.

6) Check dams shall be utilized where runoff is concentrated. Clean rock, log, sandbag, or straw bale check dams shall be properly constructed to detain runoff and trap sediment. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants.

7) Excavated materials, construction debris, and other wastes shall be removed to an upland site and disposed in such a manner as to prevent the materials from entering the watercourse down stream of the work site.

8) All materials to be discharged or placed within the waterway below the ordinary high water level must be free of pollutants, contaminants, toxic materials, trash, creosote treated timbers, or other wastes as defined by T.C.A. 69-3-103(18).

9) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.

10) Slurry water pumped from work areas and excavations must be held in settling basins or treated by filtration prior to its discharge into surface waters. Water must be held in settling basins until at least as clear as the receiving waters. Settling basins shall not be located closer than 20 feet from the top bank of a stream. Settling basins and traps shall be properly designed according to the size of the drainage areas or volume of water to be treated.

11) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.

12) Prior to commencing work under this general permit any necessary authorization must be obtained by the applicant pursuant to applicable provisions of §404 of the *Clean Water Act* and §26a of *The Tennessee Valley Authority Act*.

13) Upon achievement of final grade, the disturbed streambank shall be stabilized with bioengineering methods, riprap or other suitable material. All other disturbed soils must be stabilized and re-vegetated within 30 days by sodding or seeding and mulching. Seed to be utilized shall include a combination of annual grains and grasses, legumes, and perennial grasses. Lime and fertilizer shall be applied as needed to achieve a vegetative cover.

Effective Date July 1, 2000 APPROVED: _____

Expiration Date June 30, 2005 Paul Davis, Director

GENERAL PERMIT FOR MAINTENANCE ACTIVITIES

This general permit allows the maintenance of existing, previously authorized, currently serviceable, structures or fills such as dams, intake and outfall structures, utilities, culverts, etc. This general permit also authorizes the excavation of accumulated sediments and debris in the vicinity of existing structures such as bridges, culverted road crossings, and intake and outfall structures. Correspondingly, the placement of new or additional riprap to protect the structure is authorized. Currently serviceable means useable as is or with some maintenance, but not so degraded as to essentially require reconstruction. Minor deviations in the structure's configuration or filled area including those due to changes in materials, construction techniques, or current construction codes or safety standards which are necessary to make the repair, rehabilitation, or replacement are permitted. Maintenance activities are hereby permitted by this general permit, provided the activity is done according to the terms and conditions of this general permit.

Exclusions

This general permit cannot be used to authorize work in the following circumstances:

(a) where wetlands will be adversely affected by the proposed work;

(b) the structure or fill is to be put to uses differing from its original use or those uses specified in its original permit;

(c) when the activity is located in any waterway which is identified by the Department as having contaminated sediments, and where the proposed work will likely mobilize the contaminants;

(d) where the activity is located in a component of the National Wild and Scenic River System, a State Scenic River, or waters designated as Outstanding National Resource Waters;

(e) when the project will adversely affect a species formally listed on State or Federal lists of threatened or endangered species; or

(f) when an individual permit is required.

Maintenance activities not qualifying for authorization by this general permit may be authorized by individual permit provided all requirements of the *Tennessee Water Quality Control Act of 1977* are met.

Notification

1) Notification to the Division is not required where the work involves excavation of accumulated bedload and unconsolidated sediments from within culverts, and for a distance of one hundred feet up and down stream.

2) Notification to the Division is required of persons planning to conduct maintenance activities other than as specified in item one of this section. Notification shall be in the form of an original, signed document which includes the following minimum information:

    (a) a map showing the exact location of the proposed work; and

    (b) a single copy of construction plans or drawings which includes all dimensions and specifications for the proposed work.

Work shall not commence until the applicant has been notified by the Division that the activity may proceed under the general permit.

General Terms and Conditions

The following general terms and conditions apply to all activities authorized by this general permit.

1) The dredging or excavation of sediment shall be limited to the minimum necessary to restore the waterway in the immediate vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend further than 100 feet in any direction from the structure.

2) The placement of riprap must be the minimum necessary to protect the structure, or to ensure the safety of the structure.

3) All materials to be discharged or placed below ordinary high water must be free of pollutants, contaminants, toxic materials, trash, creosote treated timbers, or other wastes as defined by T.C.A. 69- 3-103(18).

4) Dredged materials shall be removed to an upland site and disposed in such a manner as to prevent reentry to waters of the State.

5) Erosion and sediment control measures are required where soil will be disturbed. The control measures must be in place before earthmoving operations begin, maintained throughout the construction period and repaired, if necessary, after rainfall. Control measures such as straw bales and/or silt fence must be installed along the base of all fills and cuts, on the down hill side of stock piled soil, and along the waterbody in cleared areas to prevent movement of sediments into the waters. They must be installed parallel to the waterbody, entrenched and staked, and extend the width of the area to be cleared.

6) Slurry water pumped from work areas and excavations must be held in settling basins or treated by filtration prior to its discharge into surface waters. Water must be held in settling basins until at least as clear as the receiving waters. Settling basins shall not be located closer than 20 feet from the top bank of a stream. Settling basins and traps shall be properly designed according to the size of the drainage areas or volume of water to be treated.

7) Clearing, grubbing and other disturbance to riparian vegetation shall be limited to the minimum necessary for grading work and equipment operations. Unnecessary vegetation removal is prohibited. All disturbed areas shall be properly stabilized as soon as practicable.

8) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.

9) Upon achievement of final grade, all disturbed areas must be stabilized and re-vegetated within 30 days by sodding or seeding and mulching. Seed to be utilized shall include a combination of annual grains and grasses, legumes, and perennial grasses. Lime and fertilizer shall be applied as needed to achieve a vegetative cover.

10) Prior authorization must be obtained when necessary by the applicant pursuant to applicable provisions of §10 of *The Rivers and Harbors Act of 1897*, §404 of the *Clean Water Act* and §26a of *The Tennessee Valley Authority Act.*

Effective Date July 1, 2000 APPROVED: _____

Expiration Date June 30, 2005 Paul Davis, Director

GENERAL PERMIT FOR SAND AND GRAVEL DREDGING

This general permit applies to the excavation of dry gravel bars from streams and rivers for the purpose of gravel or sand recovery. Gravel and sand dredging is hereby permitted provided it is done in accordance with all terms and conditions of this general permit.

Exclusions

This general permit cannot be used to authorize work in the following circumstances:

(a) where wetlands will be adversely affected by the proposed work;

(b) when the activity is located in any waterway which is identified by the Department as having contaminated sediments, and where the proposed work will likely mobilize the contaminants;

(c) where the activity is located in a component of the National Wild and Scenic River System, a State Scenic River, or waters designated as Outstanding National Resource Waters;

(d) when the project will adversely affect a species formally listed on State or Federal lists of threatened or endangered species; or

(e) when an individual permit is required.

Sand and gravel dredging projects not qualifying for authorization by this general permit may be authorized by individual permit provided all requirements of the *Tennessee Water Quality Control Act of 1977* are met.

Notification

1) Notification and approval is not required where dredged sand or gravel is to be collected from and used on a private farm or residence, and where any trees growing on the gravel bar are less than two inches in diameter.

2) Notification to the Division is required for persons other than those covered by part one of this section proposing to dredge sand and gravel in waters of the State. Notification shall be in the form of an original, signed document which includes a work plan with the following minimum information:

    (a) a map showing the exact location of the proposed dredging site; and

    (b) a sketch or drawing of the gravel deposit in relation to the stream, including the access point.

Dredging shall not commence until the Division issues written notification that the proposal may proceed in accordance with the terms of this general permit or issues an individual permit.

General terms and conditions

The following general terms and conditions apply to all sand and gravel dredging activities authorized by this general permit.

1) This general permit does not authorize the discharge of any substance into waters of the State, for any purpose, including dredged or fill material.

2) Authorization by this general permit does not relieve the applicant from requirements of other applicable federal, state, and local law.

3) This general permit does not authorize the removal of material from streams for the purpose of flood control or channelization.

4) The operation shall be conducted in the dry. Excavation equipment shall operate outside the stream flow at all times. A berm of at least five feet in width shall be left between the work area and the stream flow, or of such width as necessary to separate the excavation from the water in the stream. Berm is defined here as natural undisturbed material that is left between the dredging area and the stream.

5) Sand, gravel or other material shall not be excavated or removed below the approximate water level of the stream at the time of dredging.

6) Access to the work area shall be made at one point only, limiting disruption of trees and other stream cover to an area less than 20 feet wide.

7) Stream crossings shall be limited to a single right angle crossing directly adjacent to the gravel bar, or the most direct feasible route that minimizes impact to the stream.

8) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.

9) Measures shall be taken to prevent erosion and sedimentation. When work is completed in an area, normal physical characteristics of the work area shall be recreated to the extent that machinery can do so without causing additional disturbance. This shall be accomplished by grading the site to smooth contours without disturbing the berm or its bank.

10) Vegetation and debris disturbed during dredging or dredge site preparation shall be removed to an upland location and placed in such a manner as to prevent re-entry into the stream.

11) Dredged material shall not be stored or stockpiled on the gravel bed or in the streambed.

12) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.

Effective Date July 1, 2000 APPROVED: _____

Expiration Date June 30, 2005 Paul Davis, Director

GENERAL PERMIT FOR BANK STABILIZATION ACTIVITIES

This general permit allows the repair and protection of eroded stream banks. Bank stabilization activities typically include grading of the stream bank to the appropriate slope in conjunction with placement of riprap or application of bioengineering techniques. Bioengineering involves the use of cedar tree revetments, rock or log current deflection weirs, live willow post application, log crib structures and other techniques that incorporate primarily materials found in the natural riparian environment. Bio-engineering is the preferred method and is permitted without notification where no work is done instream with mechanized equipment or where the work is done in accordance with an approved bio-engineering plan from the United States Department of Agriculture, Natural Resource Conservation Service. Bank stabilization activities are hereby permitted provided the activity is done in accordance with the terms and conditions below.

Exclusions

This general permit cannot be used to authorize work in the following circumstances:

(a) where wetlands will be adversely affected by the proposed work;

(b) when the activity is located in any waterway which is identified by the Department as having contaminated sediments, and where the proposed work will likely mobilize the contaminants;

(c) when the project will adversely affect a species formally listed on State or Federal lists of threatened or endangered species; or

(d) when an individual permit is required.

Bank stabilization projects not qualifying for authorization by this general permit may be authorized by individual permit provided all requirements of the *Tennessee Water Quality Control Act of 1977* are met.

Notification

1) No notification to the Division is required where the length of stream bank to be treated is less than three times the top-of-bank width of the stream channel, not to exceed a total length of fifty feet; and where the total volume of soil, sand or gravel disturbed or re-deposited is less than ten cubic yards. Bank stabilization work conducted in accordance with this provision is limited to one site per 1000 linear feet of stream, and may be done only once without notification.

2) No notification to the Division is required where the work is done and maintained in accordance with a bio-engineering plan developed or approved by the United States Department of Agriculture, Natural Resource Conservation Service, or where recognized bio-engineering techniques are used and no work is done instream with mechanized equipment.

3) Notification to the Division is not required where the activity is located within water resource development project lands and waters, including flowage easement, managed by the Tennessee Valley Authority or the U. S. Army Corps of Engineers. However, prior to commencement of construction, the applicant must have received any necessary authorizations pursuant to applicable provisions of §10 of *The Rivers and Harbors Act of 1899*, §404 of *The Clean Water Act* and §26a of *The Tennessee Valley Authority Act*.

4) Except as provided in item one of this section, notification must be submitted to the Division where the primary bank protection is not conventional bioengineering techniques and the activity is not located within water resource development project lands and waters, including flowage easement, managed by the Tennessee Valley Authority or the U. S. Army Corps of Engineers. Notification shall be in the form of an original, signed document which includes the following minimum information:

(a) a map showing the exact location of the proposed work; and

(b) a single copy of construction plans or drawings which includes all dimensions and specifications for the proposed work.

Work shall not commence until the applicant has been notified that the activity may proceed under the general permit.

General Terms and Conditions

The following general terms and conditions apply to all bank stabilization activities authorized by this general permit.

1) The unnecessary removal of living trees and other riparian vegetation which help comprise the integrity of the stream bank or which help provide canopy or shade to the waters; or, the placement of fill which would otherwise injure or damage stream side vegetation is not authorized by this general permit.

2) Grading, sloping, dredging or reshaping of the stream banks or bed shall be limited to the minimum necessary to accommodate stabilization and armoring materials.

3) The placement of riprap is limited to 300 linear feet of stream bank. Vegetative or bioengineering methods of bank stabilization are not subject to this restriction.

4) Material may not be placed in such location or manner so as to impair surface water flow into or out of any wetland area.

5) The activity may not be conducted in a manner that would permanently disrupt the movement of aquatic life.

6) Materials used in stabilization shall include clean rock, riprap or anchored trees or other non-erodible materials found in the natural environment. **Except for activities covered by item one of the notification section,** stabilization materials shall not include gravel, sand, sediments, chert, soil, or other materials that are likely to erode. Materials used in bank stabilization projects shall be free of contaminants, including toxic pollutants, hazardous substances, waste metal, construction debris, organic materials, etc.

7) Streams shall not be used as transportation routes for heavy equipment. Crossings must be limited to one point and erosion control measures must be utilized where the stream banks are disturbed. Where the streambed is not composed of rock, a pad of clean rock must be used at the crossing point. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants. All temporary fill must be completely removed after the work is completed.

8) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.

9) Vegetation and debris disturbed by activity at the construction site shall be removed from the site to such a location so as to prevent reentry into the waterway.

10) Upon achievement of final grade, all disturbed soil areas must be stabilized and re-vegetated within 30 days by sodding or seeding and mulching. Seed to be utilized shall include a

combination of annual grains and grasses, legumes, and perennial grasses. Lime and fertilizer shall be applied as needed to achieve a vegetative cover.

11) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.

Effective Date July 1, 2000 APPROVED: _____

Expiration Date June 30, 2005 Paul Davis, Director

GENERAL PERMIT FOR SURVEYING AND GEOTECHNICAL EXPLORATION

This general permit authorizes scientific surveys and geotechnical exploration in waters of the state. It is intended to allow activities such as core sampling, seismic exploratory operations, soil survey and sampling, and historic resources surveys. This permit also allows the placement and operation of scientific measurement devices such as staff gages, water recording devices, water quality testing and improvement devices and similar structures. Drilling and excavation for test wells for oil and gas exploration is not authorized by this general permit. Surveying and geotechnical exploration is hereby permitted by this general permit, provided the activity is done according to the terms and conditions.

Exclusions

This general permit cannot be used to authorize work in the following circumstances:

(a) where wetlands will be adversely affected by the proposed work;

(b) when the activity is located in any waterway which is identified by the Department as having contaminated sediments, and where the proposed work will likely mobilize the contaminants;

(c) where the activity is located in a component of the National Wild and Scenic River System, a State Scenic River, or waters designated as Outstanding National Resource Waters;

(d) when the project will adversely affect a species formally listed on State or Federal lists of threatened or endangered species;

(e) where the proposed activity is drilling and excavation for test wells for oil and gas exploration; or

(f) when an individual permit is required.

Surveying and geotechnical exploration activities not qualifying for authorization by this general permit may be authorized by individual permit provided all requirements of the *Tennessee Water Quality Control Act of 1977* are met.

Notification

Notification to the Division is not required for surveying and geotechnical exploration activities conducted in accordance with this general permit. However, all of the general terms and conditions below apply.

General Terms and Conditions

1) Prior authorization must be obtained when necessary by the applicant pursuant to applicable provisions of §10 of *The Rivers and Harbors Act of 1897*, §404 of the *Clean Water Act* and §26a of *The Tennessee Valley Authority Act.*

2) All materials to be discharged or placed below ordinary high water must be free of pollutants, contaminants, toxic materials, trash, creosote treated timbers, or other wastes as defined by T.C.A. 69- 3-103(18).

3) Erosion and sediment control measures are required where soil will be disturbed. The control measures must be in place before earthmoving operations begin, maintained throughout the construction period and repaired, if necessary, after rainfall. Control measures such as straw bales and/or silt fence must be installed along the base of all fills and cuts, on the down hill side of stock piled soil, and along the waterbody in cleared areas to prevent movement of sediments into the waters. They must be installed parallel to the waterbody, entrenched and staked, and extend the width of the area to be cleared.

4) Slurry water pumped from work areas and excavations must be held in settling basins or treated by filtration prior to its discharge into surface waters. Water must be held in sediment basins until at least as clear as the receiving waters. Settling basins shall not be located closer than 20 feet from the water line. Settling basins and traps shall be properly designed according to the size of the drainage areas or volume of water to be treated.

5) Clearing, grubbing and other disturbance to riparian vegetation shall be limited to the minimum necessary for grading work and equipment operations. Unnecessary vegetation removal is prohibited. All disturbed areas shall be properly stabilized as soon as practicable.

6) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.

7) Upon achievement of final grade, all disturbed areas must be stabilized and re-vegetated within 30 days by sodding or seeding and mulching. Seed to be utilized shall include a combination of annual grains and grasses, legumes, and perennial grasses. Lime and fertilizer shall be applied as needed to achieve a vegetative cover.

8) Surveying or geotechnical exploration activities conducted in navigable waters must be conducted in a manner that does not interfere with navigation.

9) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.

Effective Date July 1, 2000 APPROVED: _____

Expiration Date June 30, 2005 Paul Davis, Director

GENERAL PERMIT FOR MINOR DREDGING

This general permit allows minor dredging and filling activities within reservoirs managed by the Corps of Engineers and the Tennessee Valley Authority. Minor dredging activities typically include, but are not limited to, excavation of the lakebed to establish boat access by both private and commercial marinas and boathouses. Minor filling activities typically include fill for marina and boathouse construction. For the purposes of this general permit minor dredging is defined as projects where the total quantity of material excavated within the water column does not exceed 200 cubic yards, and total excavation or fill below ordinary high water does not exceed 500 cubic yards. Minor dredging and fill activities within water resource development project lands and waters, including flowage easement, managed by the Tennessee Valley Authority or the U. S. Army Corps of Engineers are hereby permitted by this general permit, provided the activity is done according to the terms and conditions of this general permit.

Notification

Notification to the Division is not required for minor dredging and filling activities within reservoirs managed by the Corps of Engineers and the Tennessee Valley Authority conducted in accordance with this general permit. However, all of the general terms and conditions below apply.

Exclusions

This general permit cannot be used to authorize work in the following circumstances:

(a) where wetlands will be adversely affected by the proposed work;

(b) when the activity is located in any waterway which is identified by the Department as having contaminated sediments, and where the proposed work will likely mobilize the contaminants;

(c) where the activity is located in a component of the National Wild and Scenic River System, a State Scenic River, or waters designated as Outstanding National Resource Waters;

(d) when the project will adversely affect a species formally listed on State or Federal lists of threatened or endangered species; or

(e) when an individual permit is required.

Minor dredging activities not qualifying for authorization by this general permit may be authorized by individual permit provided all requirements of the *Tennessee Water Quality Control Act of 1977* are met.

General Terms and Conditions

1) Prior authorization must be obtained by the applicant pursuant to applicable provisions of §10 of *The Rivers and Harbors Act of 1897*, §404 of the *Clean Water Act* and §26a of *The Tennessee Valley Authority Act.*

2) Excavation or fill within the water column cannot exceed 200 cubic yards of material, and total excavation or fill below ordinary high water cannot exceed 500 cubic yards.

3) All materials to be discharged or placed below ordinary high water must be free of pollutants, contaminants, toxic materials, trash, creosote treated timbers, or other wastes as defined by T.C.A. 69- 3-103(18).

4) Dredged materials shall be removed to an upland site and disposed in such a manner as to prevent reentry to waters of the State.

5) Erosion and sedimentation control measures are required where soil will be disturbed. The control measures must be in place before earthmoving operations begin, maintained throughout the construction period and repaired, if necessary, after rainfall. Control measures such as straw bales and/or silt fence must be installed along the base of all fills and cuts, on the down hill side of stock piled soil, and along the lake shore in cleared areas to prevent movement of sediments into the waters. They must be installed parallel to the lakeshore, entrenched and staked, and extend the width of the area to be cleared.

6) Slurry water pumped from work areas and excavations must be held in settling basins or treated by filtration prior to its discharge into surface waters. Water must be held in sediment basins until at least as clear as the receiving waters. Sedimentation basins shall not be located on the bank closer than 20 feet from the water line. Sediment basins and traps shall be properly designed according to the size of the drainage areas or volume of water to be treated.

7) Clearing, grubbing and other disturbance to riparian vegetation shall be limited to the minimum necessary for grading work and equipment operations. Unnecessary vegetation removal is prohibited. All disturbed areas shall be properly stabilized as soon as practicable.

8) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.

9) Upon achievement of final grade, all disturbed areas above ordinary high water must be stabilized and re-vegetated within 30 days by sodding or seeding and mulching. Seed to be utilized shall include a combination of annual grains and grasses, legumes, and perennial grasses. Lime and fertilizer shall be applied as needed to achieve a vegetative cover.

10) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.

Effective Date July 1, 2000 APPROVED: _____

Expiration Date June 30, 2005 Paul Davis, Director

GENERAL PERMIT FOR ALTERATION AND RESTORATION OF INTERMITTENT STREAMS ASSOCIATED WITH MINING

This general permit allows alteration of ephemeral and intermittent streams associated with surface mining activities in the Cumberland Mountain and Cumberland Plateau ecoregions in Tennessee. The Department has determined that upper watersheds within these ecoregions meet criteria that affords mitigation in the form of restoration of the ephemeral stream reaches and conversion of intermittent reaches to emergent This general permit is intended to provide the mining industry with a planning tool and to provide longterm restoration of watersheds that range in size from 0-60 acres. This permit provides a mechanism for the establishment of aquatic habitats through the conversion of existing sediment control structures to an emergent marsh area that includes establishment of aquatic habitats and riparian zones as mitigation. The restoration plan must provide surface drainage continuity to the downstream, unmined reach. The approved mitigation plan must be completed as a post-mining or reclamation condition. Alteration of ephemeral and intermittent streams within the Cumberland Mountain and Cumberland Plateau ecoregions is hereby permitted provided the activity is completed in accordance with the terms and conditions below.

Exclusions

This general permit cannot be used to authorize work in the following circumstances:

(a) where wetlands will be adversely affected by the proposed work;

(b) when the activity is located in any waterway which is identified by the Department as having contaminated sediments, and where the proposed work will likely mobilize the contaminants;

(c) where the activity is located in a component of the National Wild and Scenic River System, a State Scenic River, or waters designated as Outstanding National Resource Waters;

(d) when the project will adversely affect a species formally listed on State or Federal lists of threatened or endangered species; or

(e) when an individual permit is required.

Alterations of ephemeral and intermittent streams associated with surface mining activities in the Cumberland Mountain and Cumberland Plateau ecoregions not qualifying for authorization by this general permit may be authorized by individual permit provided all requirements of the *Tennessee Water Quality Control Act of 1977* are met.

Notification

1) The applicant shall apply for coverage to the Division by submitting an original, signed application which includes the following minimum information:

    (a) a map showing the exact location of the proposed work; and

    (b) a single copy of construction plans and which includes all dimensions and specifications for the proposed work including all items outlined below.

2) The applicant must have submitted an application for a coal mine permit issued by the Federal Office of Surface Mining and/or an NPDES permit issued by the Department. These permit numbers must be provided on the application.

3) The notification must include pre-mining conditions and information and post-mining aquatic conditions.

4) The applicant may use maps from the SMCRA or NPDES permit applications to indicate the location of the proposed target watershed(s) and for pond design information.

5) The mitigation for the impacted aquatic resource will consist of a marsh/wetland area with the size calculated by measuring the stream length proposed for alteration (both the blue line and the dashed line) from the applicable USGS quadrangle map and multiplying that length by the bankfull stage stream width at the lowest point of the proposed disturbance. The square footage of water surface calculated in this manner is the area that must be mitigated at a 3:1 ratio.

6) Hydrology sources must be identified and must include both primary (surface run-off) and secondary (ground water) sources. Any hydrology model runs with discharge calculations to support water budgets should be included. Groundwater sources may be "French drain" outlets with estimated discharge volumes.

7) The applicant must include sediment basin design plans that include the plan view and cross sections with spillway elevations to sustain a maximum depth of four feet and side slope depth of 18" to 0". (Basin geometry may require minor cut and fill areas to achieve the desired elevations when the basins are created from the existing sediment control structures.)

8) Construction shall not commence until the Division issues written notification that the proposal may proceed in accordance with the terms of this general permit, or issues an individual permit.

General Terms and Conditions

1) Prior authorization must be obtained by the applicant pursuant to applicable provisions of §404 of the *Clean Water Act* and §26a of *The Tennessee Valley Authority Act.*

2) The wetland / marsh area must provide aquatic habitat enhancements such as logs and rock piles.

3) Native tree and shrub species must be planted adjacent and contiguous to the fringe emergent wetland including inlet channels. This riparian zone should be planted on ten foot centers with twelve foot rows and should extend fifty feet from wetted edge. Tree composition should include at least 50% hard mast. Light seeded species should be avoided.

4) The channel below the wetland must be constructed to replicate the pre-existing condition or return the drainway to a more natural condition in terms of shape and substrate.

5) All materials, construction debris, and other wastes shall be removed to an upland site and disposed in such a manner as to prevent the materials from entering the watercourse down stream from the work site.

6) All materials to be discharged or placed within the waterway below the ordinary high water level must be free of pollutants, contaminants, toxic materials, trash, creosote treated timbers, or other wastes as defined by T.C.A. 69-3-103(18).

7) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.

8) The applicant must contact the Division at the completion of the project milestones and upon completion of the project.

Effective Date July 1, 2000 APPROVED: _____

Expiration Date June 30, 2005 Paul Davis, Director

GENERAL PERMIT FOR WETLANDS RESTORATION AND ENHANCEMENT

This general permit authorizes wetland restoration and enhancement activities in waters of the state. It is intended to allow restoration and enhancement of altered and degraded wetlands. Restoration activities are typically associated with activities such as greenway development, compensatory mitigation activities, habitat enhancement and watershed protection. Such activities include installation and maintenance of small water control structures, dikes, and berms; backfilling of existing drainage structures; construction of small nesting islands; plowing and disking for seed bed preparation; and other related activities.

Exclusions

This general permit cannot be used to authorize work in the following circumstances:

(a) when the activity is located in any waterway which is identified by the Department as having contaminated sediments, and where the proposed work will likely mobilize the contaminants;

(b) where the activity is located in a component of the National Wild and Scenic River System, a State Scenic River, or waters designated as Outstanding National Resource Waters;

(c) when the project will adversely affect a species formally listed on State or Federal lists of threatened or endangered species; or

(d) when an individual permit is required.

Wetland restoration activities not qualifying for authorization by this general permit may be authorized by individual permit provided all requirements of the *Tennessee Water Quality Control Act of 1977* are met.

Notification

The applicant shall apply for coverage to the Division by submission of an original, signed application, which includes the following minimum information:

(a) a map showing the exact location of the proposed work, and

(b) a single copy of construction plans or drawings which includes all dimensions and specifications for the proposed work.

Work shall not commence until the applicant has been notified that the activity may proceed under the general permit or with any special conditions imposed by the Division.

General Terms and Conditions

1) Prior authorization must be obtained, when necessary, by the applicant pursuant to applicable provisions of §404 of the *Clean Water Act* and §26a of *The Tennessee Valley Authority Act.*

2) All materials to be discharged or placed below ordinary high water must be free of pollutants, contaminants, toxic materials, trash, creosote treated timbers, or other wastes as defined by T.C.A. 69- 3-103(18).

3) Erosion and sediment control measures are required where soil will be disturbed. The control measures must be in place before earthmoving operations begin, maintained throughout the construction period and repaired, if necessary, after rainfall. Control measures such as straw bales and/or silt fence must be installed along the base of all fills and cuts, on the down hill side of stockpiled soil, and along the waterbody in cleared areas to prevent movement of sediments into

the waters. They must be installed parallel to the waterbody, entrenched and staked, and extend the width of the area to be cleared.

4) Slurry water pumped from work areas and excavations must be held in settling basins or treated by filtration prior to its discharge into surface waters. Water must be held in settling basins until at least as clear as the receiving waters. Settling basins shall not be located closer than 20 feet from the top bank of a stream. Settling basins and traps shall be properly designed according to the size of the drainage areas or volume of water to be treated.

5) Clearing, grubbing and other disturbance to riparian vegetation shall be limited to the minimum necessary for grading work and equipment operations. Unnecessary vegetation removal is prohibited. All disturbed areas shall be properly stabilized as soon as practicable.

6) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.

7) Upon achievement of final grade, all disturbed areas must be stabilized and re-vegetated within 30 days by sodding or seeding and mulching. Seed to be utilized shall include a combination of annual grains and grasses, legumes, and perennial grasses. Lime and fertilizer shall be applied as needed to achieve a vegetative cover.

Effective Date July 1, 2000 APPROVED: _____

Expiration Date June 30, 2005 Paul Davis, Director

GENERAL PERMIT FOR IMPOUNDMENT OF INTERMITTENT STREAMS

This general permit allows construction of a dam and impoundment of up to 500 feet of intermittent stream channel. In the case of this general permit, intermittent streams are defined as natural or man made watercourses that cease to flow for sustained periods during a normal rainfall year. Intermittent streams typically cease flow during the later summer through the fall months, although some may exhibit no flow in the channel during wetter months.

Exclusions

This general permit cannot be used to authorize work in the following circumstances:

(a) where wetlands will be adversely affected by the proposed work;

(b) when the activity is located in any waterway which is identified by the Department as having contaminated sediments, and where the proposed work will likely mobilize the contaminants;

(c) where the activity is located in a component of the National Wild and Scenic River System, a State Scenic River, or waters designated as Outstanding National Resource Waters;

(d) when the project will adversely affect a species formally listed on State or Federal lists of threatened or endangered species; or

(e) when an individual permit is required.

Dam construction activities not qualifying for authorization by this general permit may be authorized by individual permit provided all requirements of the *Tennessee Water Quality Control Act of 1977* are met.

Notification

Persons shall apply for coverage to the Division by submission of an original, signed notification that includes the following minimum information:

(a) a map showing the exact location of the proposed work, and

(b) a single copy of construction plans or drawings which includes all dimensions and specifications for the proposed work.

Work shall not commence until the applicant has been notified that the activity may proceed under the general permit.

General Terms and Conditions

1) Prior authorization must be obtained, when necessary, by the applicant pursuant to applicable provisions of §404 of the *Clean Water Act* and §26a of *The Tennessee Valley Authority Act*.

2) The work may only be commenced where there is no flow in the channel and where sustained flow is not likely to recur during the period of construction. Work may only commence during seasonally dry periods in the case of intermittent streams that exhibit seasonal flow, or regardless of season in the case of channels that flow only periodically.

3) Provision must be made for the conveyance of water through the watercourse during construction, utilizing the original channel or lined diversion channels, etc., to prevent pollution of the stormwater runoff through the watercourse.

4) Erosion and sediment control measures are required where soil will be disturbed. The control measures must be in place before earthmoving operations begin, maintained throughout the construction period and repaired, if necessary, after rainfall. Control measures such as straw bales and/or silt fence must be installed along the base of all fills and cuts, on the down hill side of stock piled soil, and along the waterbody in cleared areas to prevent movement of sediments into the waters. They must be installed parallel to the waterbody, entrenched and staked, and extend the width of the area to be cleared.

5) Check dams shall be utilized where runoff is concentrated. Clean rock, log, sandbag, or straw bale check dams shall be properly constructed to detain runoff and trap sediment. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants.

6) All materials to be discharged or placed within the waterway below the ordinary high water level must be free of pollutants, contaminants, toxic materials, trash, creosote treated timbers, or other wastes as defined by T.C.A. 69-3-103(18).

7) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.

8) Slurry water pumped from work areas and excavations must be held in settling basins or treated by filtration prior to its discharge into surface waters. Water must be held in settling basins until at least as clear as the receiving waters. Settling basins shall not be located closer than 20 feet from the top bank of a stream. Settling basins and traps shall be properly designed according to the size of the drainage areas or volume of water to be treated.

9) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.

10) Upon achievement of final grade, the disturbed streambank shall be stabilized with riprap or other suitable material. All other disturbed soils must be stabilized and re-vegetated within 30 days by sodding or seeding and mulching. Seed to be utilized shall include a combination of annual grains and grasses, legumes, and perennial grasses. Lime and fertilizer shall be applied as needed to achieve a vegetative cover.

Effective Date July 1, 2000 APPROVED: _____

Expiration Date June 30, 2005 Paul Davis, Director

APPENDIX D.
SOURCES OF ADDITONAL INFORMATION

TDEC Environmental Assistance Centers:

Water Pollution Control Central Office (may be used by TVA and TDOT):

TN DEPT OF ENV AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL, PERMIT SECTION
STORM WATER NOI PROCESSING
6TH FLOOR, L & C ANNEX
401 CHURCH STREET
NASHVILLE, TN 37243-1534
615-532-0625

Fayette, Shelby, and Tipton Counties:

TN DEPT OF ENV AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
2510 MT MORIAH ROAD SUITE E-645
MEMPHIS, TN 38115-1520
901-368-7939

Benton, Carroll, Chester, Crockett, Decatur, Dyer, Gibson, Hardeman, Hardin, Haywood, Henderson, Henry, Lake, Lauderdale, McNairy, Madison, Obion, Weakly counties:

TN DEPT OF ENV AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
362 CARRIAGE HOUSE DRIVE
JACKSON, TN 38305-2222
731-512-1300

Cheatham, Davidson, Dickson, Houston, Humphreys, Montgomery, Robertson, Rutherford, Stewart, Sumner, Williamson, Wilson:

TN DEPT OF ENV AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
711 R.S. GASS BOULEVARD
NASHVILLE, TN 37243
615-687-7000

Bedford, Coffee, Franklin, Giles, Hickman, Lawrence, Lewis, Lincoln, Marshall, Maury, Moore, Perry, Wayne:

TN DEPT OF ENV AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
2484 PARK PLUS DRIVE
COLUMBIA, TN 38401
931-380-3371

Cannon, Clay, Cumberland, DeKalb, Fentress, Jackson, Macon, Pickett, Putnam, Overton, Smith, Trousdale, Van Buren, Warren, White:

TN DEPT OF ENV AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
1221 SOUTH WILLOW AVE
COOKEVILLE, TN 38506
931-432-4015

Bledsoe, Bradley, Grundy, Hamilton, McMinn, Marion, Meigs, Polk, Rhea, Sequatchie:

TN DEPT OF ENV AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
STATE OFFICE BUILDING SUITE 550
540 MCCALLIE AVE
CHATTANOOGA, TN 37402-2013
423-634-5745

Anderson, Blount, Campbell, Claiborne, Cocke, Grainger, Hamblen, Jefferson, Knox, Loudon, Monroe, Morgan, Roane, Scott, Sevier, Union:

TN DEPT OF ENV AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
2700 MIDDLEBROOK PIKE SUITE 220
KNOXVILLE, TN 37921
865-594-6035

Carter, Greene, Hancock, Hawkins, Johnson, Sullivan, Unicoi, Washington Counties:

TN DEPT OF ENV AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
2305 SILVERDALE ROAD
JOHNSON CITY, TN 37601
423-854-5400

United States Army Corps of Engineers Offices:

Cumberland and Tennessee River Basins:

Nashville District Office:

U.S. ARMY CORPS OF ENGINEERS
REGULATORY BRANCH
3701 BELL ROAD
NASHVILLE, TN 37214

Web address: http://www.orn.usace.army.mil/

Eastern Regulatory Field Office:

U.S. ARMY CORPS OF ENGINEERS
P.O. BOX 465
LENOIR CITY, TN 37771-0465

Western Regulatory Field Office:

U.S. ARMY CORPS OF ENGINEERS
2042 BELTLINE ROAD, SW
BLDG. C, SUITE 415
DECATUR, AL 35601

Mississippi River Basin:

Memphis District Office:

U.S. ARMY CORPS OF ENGINEERS
B-202 CLIFFORD DAVIS FEDERAL BUILDING
167 NORTH MAIN STREET
MEMPHIS, TN 38103-1854

Web address: http://www.mvm.usace.army.mil/

Barren River Basin:

Louisville District Office:

U.S. ARMY CORPS OF ENGINEERS
600 DR. MARTIN LUTHER KING, JR.
LOUISVILLE, KY 40202-2232

Web address: http://www.lrl.usace.army.mil/

NPDES-Permitted Municipal Separate Storm Sewer System (MS4) Municipalities:

CITY OF MEMPHIS
PUBLIC WORKS DIVISION/STORM WATER MANAGEMENT
125 NORTH MAIN STREET, ROOM 620
MEMPHIS, TN 38103-2091
901-529-0237

Web address: http://www.ci.memphis.tn.us

NASHVILLE/DAVIDSON COUNTY
METRO DEPARTMENT OF PUBLIC WORKS/NPDES PROGRAM
POINT PLACE BUSINESS PARK, SUITE 350
441 DONELSON PIKE
NASHVILLE, TN 37214-3558
615-880-2420

Web address: http://www.nashville.org/pw/stormwater.html

CITY OF KNOXVILLE
DEPARTMENT OF ENGINEERING
CITY COUNTY BUILDING, SUITE 480
P.O. BOX 1631
KNOXVILLE, TN 37901-1631
865-215-2148

Web address: http://www.ci.knoxville.tn.us/engineering/

CITY OF CHATTANOOGA
DEPARTMENT OF PUBLIC WORKS/STORM WATER MANAGEMENT
1001 LINDSEY STREET
CHATTANOOGA, TN 37402
423-757-0039

Web address: http://www.chattanooga.gov/stormwater/index.htm

Various Web Resources:

Tennessee State Government: **http://www.tennesseeanytime.org/**

Department of Environment and Conservation: **http://www.state.tn.us/environment**

Tennessee Code Annotated (state laws):
http://198.187.128.12/tennessee/lpext.dll?f=templates&fn=fs-main.htm&2.0

Departmental Rules and Regulations (Water Pollution Control):
http://www.state.tn.us/sos/rules/1200/1200-04/1200-04.htm

Division of Forestry: **http://www.state.tn.us/agriculture/forestry/**

Georgia Soil and Water Conservation Commission: **http://www.gaswcc.org/**

Virginia Soil and Water Conservation (Erosion and Sediment Control):
http://www.dcr.state.va.us/sw/e&s.htm

Revised Universal Soil Loss Equation: **http://www.sedlab.olemiss.edu/rusle/index.html**

Tennessee Valley Authority: **http://www.tva.gov/index.htm**

Natural Resource Conservation Service: **http://www.nrcs.usda.gov/**

International Erosion Control Association: **http://www.ieca.org/**

EPA Office of Wetlands, Oceans, and Watersheds: **http://www.epa.gov/owow/**

University of Tennessee Center for Industrial Services: **http://www.cis.utk.edu/**

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